

# APPENDIX

## TO THE HISTORY OF THE THIRD CONGRESS,

COMPRISING THE MOST IMPORTANT DOCUMENTS ORIGINATING DURING THAT CONGRESS, AND THE PUBLIC ACTS PASSED BY IT.

### PROCLAMATION OF NEUTRALITY.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

#### A PROCLAMATION.

Whereas it appears, that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, on the one part; and France, on the other; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent Powers:

I have, therefore, thought fit, by these presents, to declare the disposition of the United States to observe the conduct aforesaid, towards those Powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known, that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the Law of Nations by committing, aiding, or abetting, hostilities against any of the said Powers; or by carrying to any of them those articles which are deemed contraband by the modern usage of Nations, will not receive the protection of the United States, against such punishment or forfeiture; and further, that I have given instructions to those officers to whom it belongs, to cause prosecutions to be instituted against all persons who shall, within the cognizance of the Courts of the United States, violate the Law of Nations, with respect to the Powers at war, or any of them.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

Done at the City of Philadelphia, 22d day of April, 1793, and of the Independence of the United States of America the seventeenth.

G. WASHINGTON.

By the President:

T. JEFFERSON.

### INSTRUCTIONS TO THE COLLECTORS OF THE CUSTOMS.

PHILADELPHIA, August 4, 1793.

SIR:—It appearing that repeated contraventions of our neutrality have taken place in the ports of the United States, without having been discovered in time for prevention or remedy, I have it in command from the President to address to the Collectors of the respective districts a particular instruction on the subject.

It is expected that the Officers of the Customs in each district will, in the course of their official functions, have a vigilant eye upon whatever may be passing within the ports, harbors, creeks, inlets, and waters, of such districts, of a nature to contravene the laws of neutrality, and, upon discovery of any thing of the kind, will give immediate notice to the Governor of the State, and to the attorney of the judicial district comprehending the district of the customs within which any such contravention may happen.

To assist the judgment of the officers on this head, I transmit herewith a schedule of rules concerning sundry particulars which have been adopted by the President, as deductions from the laws of neutrality, established and received among nations. Whatever shall be contrary to these rules will, of course, be to be notified as above mentioned.

There are some other points which, pursuant to our treaties, and the determination of the Executive, I ought to notice to you.

If any vessel of either of the Powers at war with France should *bring or send* within your district a prize made of the subjects, people, or property of France, it is immediately to be notified to the Governor of the State, in order that measures may be taken, pursuant to the 17th article of our treaty with France, to oblige such vessel and her prize, or such prize, when sent in without the capturing vessel, to depart.

No privateer of any of the Powers at war with France, coming within a district of the United States, can, by the 22d article of our treaty with

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France, enjoy any other privilege than that of *purchasing such victuals as shall be necessary for her going to the next port of the Prince or State from which she has her commission*. If she should do any thing beside this, it is immediately to be reported to the Governor, and the attorney of the district. You will observe, by the rules transmitted, that the term privateer is understood not to extend to vessels armed for merchandise and war, commonly called with us *letters of marque*, nor, of course, to vessels of war in the immediate service of the Government of either of the Powers at war.

No armed vessel which has been or shall be *originally fitted out* in any port of the United States, by either of the parties at war, is henceforth to have an asylum in any district of the United States. If any such armed vessel shall appear within your district, she is immediately to be notified to the Governor, and attorney of the district, which is also to be done in respect to any prize that such armed vessel shall bring or send in. At foot is a list of such armed vessels of the above description as have hitherto come to the knowledge of the Executive.

The purchasing within, and exporting from the United States, *by way of merchandise*, articles commonly called contraband, being generally war-like instruments and military stores, is free to all the parties at war, and is not to be interfered with. If our own citizens undertake to carry them to any of those parties, they will be abandoned to the penalties which the laws of war authorize.

You will be particularly careful to observe, and to notify as directed in other instances, the case of any citizen of the United States who shall be found in the service of either of the parties at war.

In case any vessel shall be found in the act of contravening any of the rules or principles which are the ground of this instruction, she is to be refused a clearance until she shall have complied with what the Governor shall have decided in reference to her. Care, however, is to be taken in this, not unnecessarily or unreasonably to embarrass trade, or to vex any of the parties concerned.

In order that *contraventions* may be the better ascertained, it is desired that the officer who shall first go on board any vessel arriving within your district, shall make an accurate survey of her then condition as to *military equipment*, to be forthwith reported to you; and that, prior to her clearance, a like survey be made, that any transgression of the rules laid down may be ascertained.

But, as the propriety of any such inspection of a *vessel of war in the immediate service of the Government* of a foreign nation is not without question in reference to the usage of nations, no attempt is to be made to inspect any such vessel, till further order on the point.

The President desires me to signify to you his most particular expectation, that the instruction contained in this letter will be executed with the greatest vigilance, care, activity, and impartiality. Omissions will tend to expose the Government to

injurious imputations and suspicions, and proportionably to commit the good faith and peace of the country—objects of too much importance not to engage every proper exertion of your zeal.

With consideration, I am, sir, &c.

ALEXANDER HAMILTON.

1. The original arming and equipping of vessels in the ports of the United States, by any of the belligerent parties, for military service, offensive or defensive, is deemed unlawful.

2. Equipments of merchant vessels, by either of the belligerent parties, in the ports of the United States, purely for the accommodation of them as such, is deemed lawful.

3. Equipments in the ports of the United States, of vessels of war in the immediate service of the Government of any of the belligerent parties, which, if done to other vessels, would be of a doubtful nature, as being applicable either to commerce or war, are deemed lawful; except those which shall have made prize of the subjects, people, or property of France, coming with their prizes into the ports of the United States, pursuant to the 17th article of our treaty of amity and commerce with France.

4. Equipments in the ports of the United States, by any of the parties at war with France, of vessels fitted for merchandise and war, whether with or without commissions, which are doubtful in their nature as being applicable either to commerce or war, are deemed lawful; except those which shall have made prize, &c.

5. Equipments of any of the vessels of France, in the ports of the United States, which are doubtful in their nature as being applicable to commerce or war, are deemed lawful.

6. Equipments of every kind, in the ports of the United States, of privateers of the Powers at war with France, are deemed unlawful.

7. Equipments of vessels in the ports of the United States, which are of a nature solely adapted to war, are deemed unlawful; except those stranded or wrecked, as mentioned in the 18th article of our treaty with France, the 16th of our treaty with the United Netherlands, the 9th of our treaty with Prussia; and, except those mentioned in the 19th article of our treaty with France, the 17th of our treaty with the United Netherlands, the 18th of our treaty with Prussia.

8. Vessels of either of the parties, not armed, or armed previous to their coming into the ports of the United States, which shall not have infringed any of the foregoing rules, may lawfully engage or enlist therein their own subjects or citizens, not being inhabitants of the United States; except privateers of the Powers at war with France, and except those vessels which shall have made prize, &c.

*Report of the Secretary of State, on the Privileges and Restrictions on the Commerce of the United States in Foreign Countries.*

PHILADELPHIA, Dec. 16, 1793.

SIR: According to the pleasure of the House of Representatives, expressed in their resolution of

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February 23, 1791, I now lay before them a Report on the Privileges and Restrictions on the Commerce of the United States in Foreign Countries. In order to keep the subject within those bounds, which I supposed to be under the contemplation of the House, I have restrained my statements to those countries only, with which we carry on a commerce of some importance, and to those articles also of our produce, which are of sensible weight in the scale of our exports; and even these articles are sometimes grouped together, according to the degree of favor or restriction with which they are received in each country, and that degree expressed in general terms, without detailing the exact duty levied on each article.

To have gone fully into these minutiae, would have been to copy the tariffs and books of rates of the different countries, and to have hidden under a mass of detail, these general and important truths, the extraction of which in a simple form, I conceived, would best answer the inquiries of the House, by condensing material information within those limits of time and attention which this portion of their duties may justly claim. The plan, indeed, of minute details, would have been impracticable with some countries for want of information.

Since preparing this Report, which was put into its present form, in time to have been given in to the last session of Congress, alterations of the conditions of our commerce with some foreign nations have taken place, some of them independent of the war, some arising out of it. France has proposed to enter into a new treaty of commerce with us on liberal principles; and has, in the meantime, relaxed some of the restraints mentioned in the report. Spain has by an ordinance of June last, established New Orleans, Pensacola, and St. Augustine, into free ports, for the vessels of friendly nations having treaties of commerce with her, provided they touch for a permit at Corcubion in Galicia, or at Alicante; and our rice is by the same ordinance excluded from that country. The circumstances of the war have necessarily given us freer access to the West India islands, whilst they have also drawn on our navigation vexations and depredations of the most serious nature.

To have endeavored to describe all these would have been as impracticable as useless, since the scenes would have been shifting while under description. I therefore think it best to leave the report as it was formed, being adapted to a particular point of time, when things were in their settled order, that is to say, to the Summer of 1792.

I have the honor to be, with the most profound respect, sir, your most obedient and most humble servant,

TH. JEFFERSON.

To the Hon. the SPEAKER of the House of Representatives of the United States of America.

The SECRETARY OF STATE, to whom was referred by the House of Representatives the Report of a Committee on the written Message of the President of the United

States, of the 14th of February, 1791, with instruction to report to Congress the nature and extent of the Privileges and Restrictions of the Commercial Intercourse of the United States with Foreign Nations, and the measures which he should think proper to be adopted, for the improvement of the Commerce and Navigation of the same, has had the same under consideration, and thereupon makes the following Report :

The countries with which the United States have their chief commercial intercourse are, Spain, Portugal, France, Great Britain, the United Netherlands, Denmark, and Sweden, and their American possessions; and the articles of export which constitute the basis of that commerce, with their respective amounts, are—

Breadstuff, that is to say, bread-grains, meals, and bread, to the annual amount of				
	-	-	-	\$7,649,887
Tobacco	-	-	-	4,849,507
Rice	-	-	-	1,753,796
Wood	-	-	-	1,203,534
Salted fish	-	-	-	941,696
Pot and pearl ash	-	-	-	889,093
Salted meats	-	-	-	599,130
Indigo	-	-	-	537,379
Horses and mules	-	-	-	339,753
Whale oil	-	-	-	252,591
Flaxseed	-	-	-	236,072
Tar, pitch, and turpentine	-	-	-	217,177
Live provisions	-	-	-	187,743
Ships	-	-	-	
Foreign goods	-	-	-	620,274

To descend to articles of smaller value than these, would lead into a minuteness of detail neither necessary nor useful to the present object.

The proportions of our exports, which go to the nations before mentioned, and to their dominions, respectively, are as follows :

To Spain and its dominions	-	-	\$2,005,907
To Portugal and its dominions	-	-	1,283,462
To France and its dominions	-	-	4,693,735
To Great Britain and its dominions	-	-	9,363,416
To the United Netherlands and their dominions	-	-	1,963,880
To Denmark and its dominions	-	-	224,415
To Sweden and its dominions	-	-	47,240

Our imports from the same countries are—

To Spain and its dominions	-	-	\$335,110
To Portugal and its dominions	-	-	595,763
To France and its dominions	-	-	2,068,348
To Great Britain and its dominions	-	-	15,285,428
To the United Netherlands and their dominions	-	-	1,172,692
To Denmark and its dominions	-	-	351,394
To Sweden and its dominions	-	-	14,325

These imports consist mostly of articles on which industry has been exhausted.

Our navigation depending on the same commerce will appear by the following statement of the tonnage of our own vessels entering in our ports, from those several nations, and their posses-

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sions, in one year, that is to say, from October, 1789, to September, 1790, inclusive, as follows :

	<i>Tons.</i>
Spain - - - - -	19,695
Portugal - - - - -	23,576
France - - - - -	119,410
Great Britain - - - - -	43,580
United Netherlands - - - - -	58,858
Denmark - - - - -	14,655
Sweden - - - - -	750

Of our commercial objects, SPAIN receives favorably our bread-stuff, salted fish, wood, ships, tar, pitch, and turpentine. On our meals, however, as well as on those of other foreign countries, when re-exported to their colonies, they have lately imposed duties of from half a dollar to two dollars the barrel, the duties being so proportioned to the current price of their own flour, as that both together are to make the constant sum of nine dollars per barrel.

They do not discourage our rice, pot and pearl ash, salted provisions, or whale oil ; but these articles being in small demand at their markets, are carried thither but in a small degree. Their demand for rice, however, is increasing. Neither tobacco nor indigo are received there. Our commerce is permitted with their Canary islands under the same conditions.

Themselves and their colonies are the actual consumers of what they receive from us.

Our navigation is free with the kingdom of Spain—foreign goods being received there in our ships on the same conditions as if carried in their own, or in the vessels of the country of which such goods are the manufacture or produce.

PORTUGAL receives favorably our grain and bread, salted fish and other salted provisions.

For flaxseed, pot, and pearl ash, though not discouraged, there is little demand.

Our ships pay twenty per cent. on being sold to their subjects, and are then free bottoms.

Foreign goods (except those of the East Indies) are received on the same footing in our vessels as in their own, or any others ; that is to say, on general duties of from twenty to twenty-eight per cent., and, consequently, our navigation is unobstructed by them. Tobacco, rice, and meals, are prohibited.

Themselves and their colonies consume what they receive from us.

These regulations extend to the Azores, Madeira, and the Cape de Verd Islands, except, that in these, meals and rice are received freely.

FRANCE receives favorably our breadstuff, rice, wood, pot, and pearl ashes.

A duty of five sous the quintal, or nearly four and an half cents, is paid on our tar, pitch, and turpentine. Our whale oils pay six livres the quintal, and are the only foreign whale oils admitted. Our indigo pays five livres the quintal ; their own two and a half ; but a difference of quality, still more than a difference of duty, prevents its seeking that market.

Salted beef is received freely for re-exportation ; but if for home consumption, it pays five livres

the quintal. Other salted provisions pay that duty in all cases, and salted fish is made lately to pay the prohibitory one of twenty livres the quintal.

Our ships are free to carry thither all foreign goods, which may be carried in their own or any other vessels, except tobaccoes not of our own growth ; and they participate with theirs the exclusive carriage of our whale oils and tobaccoes.

During their former Government our tobacco was under a monopoly, but paid no duties ; and our ships were freely sold in their ports and converted into national bottoms. The first National Assembly took from our ships this privilege. They emancipated tobacco from its monopoly, but subjected it to duties of eighteen livres and fifteen sous the quintal, carried in their own vessels, and twenty-five livres, carried in ours—a difference more than equal to the freight of the article.

They and their colonies consume what they receive from us.

GREAT BRITAIN receives our pot and pearl ashes free, while those of other nations pay a duty of two shillings and three pence the quintal. There is an equal distinction in favor of our bar iron—of which article, however, we do not produce enough for our own use. Woods are free from us, whilst they pay some small duty from other countries. Indigo and flaxseed are free from all countries. Our tar and pitch pay 11d. sterling the barrel. From other alien countries they pay about a penny and a third more.

Our tobacco, for their own consumption, pays 1s. 3d. sterling the pound, custom and excise, besides heavy expenses of collection. And rice, in the same case, pays 7s. 4d. sterling the hundred weight ; which, rendering it too dear as an article of common food, it is consequently used in very small quantity.

Our salted fish, and other salted provisions, except bacon, are prohibited. Bacon and whale oils are under prohibitory duties ; so are our grains, meals, and bread, as to internal consumption, unless in times of such scarcity as may raise the price of wheat to 50s. sterling the quarter, and other grains and meals in proportion.

Our ships, though purchased and navigated by their own subjects, are not permitted to be used even in their trade with us.

While the vessels of other nations are secured by standing laws, which cannot be altered but by the concurrent will of the three branches of the British Legislature, in carrying thither any produce or manufacture of the country to which they belong, which may be lawfully carried in any vessels, ours, with the same prohibition of what is foreign, are further prohibited by a standing law (12 Car. 2, 18, § 3) from carrying thither all and any of our domestic productions and manufactures. A subsequent act, indeed, has authorized their Executive to permit the carriage of our own productions in our own bottoms at its sole discretion ; and the permission has been given from year to year by proclamation, but subject every moment to be withdrawn on that single will ; in which event, our vessels having any thing on board, stand interdicted from the entry of all



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British ports. The disadvantage of a tenure which may be so suddenly discontinued, was experienced by our merchants on a late occasion,\* when an official notification that this law would be strictly enforced, gave them just apprehensions for the fate of their vessels and cargoes despatched or destined to the ports of Great Britain. The Minister of that Court, indeed, frankly expressed his personal conviction that the words of the Order went farther than was intended, and so he afterwards officially informed us; but the embarrassments of the moment were real and great, and the possibility of their renewal lays our commerce to that country under the same species of discouragement as to other countries where it is regulated by a single legislator; and the distinction is too remarkable not to be noticed, that our navigation is excluded from the security of fixed laws, while that security is given to the navigation of others.

Our vessels pay in their ports 1s. 9d. sterling per ton, light and Trinity dues, more than is paid by British ships, except in the port of London, where they pay the same as British.

The greater part of what they receive from us is re-exported to other countries, under the useless charges of an intermediate deposite, and double voyage. From tables published in England, and composed as is said from the books of their custom-houses, it appears that of the indigo imported there in the years 1773-'74-'75, one-third was re-exported; and from a document of authority, we learn that, of the rice and tobacco imported there, before the war, four-fifths were re-exported. We are assured, indeed, that the quantities sent thither for re-exportation since the war, are considerably diminished, yet less so than reason and national interest would dictate. The whole of our grain is re-exported when wheat is below 50s. the quarter, and other grains in proportion.

The UNITED NETHERLANDS prohibit our pickled beef and pork, meals and bread, of all sorts, and lay a prohibitory duty on spirits distilled from grain.

All other of our productions are received on varied duties, which may be reckoned on a medium at about three per cent.

They consume but a small proportion of what they receive. The residue is partly forwarded for consumption in the inland parts of Europe, and partly reshipped to other maritime countries. On the latter portion they intercept between us and the consumer so much of the value as is absorbed by the charges attending an intermediate deposite.

Foreign goods, except some East India articles, are received in vessels of any nation.

Our ships may be sold and naturalized there, with exceptions of one or two privileges, which somewhat lessen their value.

DENMARK lays considerable duties on our tobacco and rice carried in their own vessels, and half as much more if carried in ours; but the exact amount of these duties is not perfectly known

here. They lay such as amount to prohibitions on our indigo and corn.

SWEDEN receives favorably our grains and meals, salted provisions, indigo and whale oil.

They subject our rice to duties of sixteen mills the pound weight, carried in their own vessels, and of forty per cent. additional on that, or 22 4-10 mills, carried in ours, or any others. Being thus rendered too dear as an article of common food, little of it is consumed with them. They consume some of our tobaccos, which they take circuitously through Great Britain, levying heavy duties on them also; their duties of entry, town duties, and excise, being \$4 34 the hundred weight, if carried in their own vessels, and of forty per cent. on that additional, if carried in our own or any other vessels.

They prohibit altogether our bread, fish, pot and pearl ashes, flaxseed, tar, pitch, and turpentine, wood, (except oak timber and masts,) and all foreign manufactures.

Under so many restrictions and prohibitions, our navigation with them is reduced almost to nothing.

With our neighbors, an order of things much harder presents itself:

SPAIN and PORTUGAL refuse to those parts of America which they govern all direct intercourse with any people but themselves. The commodities in mutual demand, between them and their neighbors, must be carried to be exchanged in some port of the dominant country; and the transportation between that and the subject State must be in a domestic bottom.

FRANCE, by a standing law, permits her West India possessions to receive directly our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice, and maize, and prohibits our other breadstuff; but a suspension of this prohibition having been left to the Colonial Legislatures, in times of scarcity, it was formerly suspended occasionally, but latterly without interruption.

Our fish and salted provisions (except pork) are received in their islands under a duty of three Colonial livres the quintal, and our vessels are as free as their own to carry our commodities thither, and to bring away rum and molasses.

GREAT BRITAIN admits in her islands our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice, and breadstuff, by a proclamation of her Executive, limited always to the term of a year, but hitherto renewed from year to year. She prohibits our salted fish, and other salted provisions. She does not permit our vessels to carry thither our own produce. Her vessels alone may take it from us, and bring us in exchange rum, molasses, sugar, coffee, cocoa nuts, ginger, and pimento. There are, indeed, some freedoms in the island of Dominica, but, under such circumstances, as to be little used by us. In the British Continental Colonies, and in Newfoundland, all our productions are prohibited, and our vessels forbidden to enter their ports. Their Governors, however, in times of distress, have power to permit a temporary importation of certain articles in their own bottoms, but not in ours.

\* April 12, 1792.

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Our citizens cannot reside as merchants or factors within any of the British plantations, this being expressly prohibited by the same statute of 12 Car. 2, c. 18, commonly called the Navigation Act.

In the DANISH AMERICAN possessions a duty of five per cent. is levied on our corn, cornmeal, rice, tobacco, wood, salted fish, indigo, horses, mules, and live stock; and of ten per cent. on our flour, salted pork, and beef, tar, pitch, and turpentine.

In the American islands of the UNITED NETHERLANDS and SWEDEN our vessels and produce are received, subject to duties, not so heavy as to have been complained of; but they are heavier in the Dutch possessions on the Continent.

To sum up these Restrictions so far as they are important:

1. IN EUROPE.—Our breadstuff is at most times under prohibitory duties in England, and considerably dutied on re-exportation from Spain to her colonies.

Our tobaccos are heavily dutied in England, Sweden and France, and prohibited in Spain and Portugal.

Our rice is heavily dutied in England and Sweden, and prohibited in Portugal.

Our fish and salted provisions are prohibited in England, and under prohibitory duties in France.

Our whale oils are prohibited in England and Portugal.

And our vessels are denied naturalization in England, and of late in France.

2. IN THE WEST INDIES.—All intercourse is prohibited with the possessions of Spain and Portugal.

Our salted provisions and fish are prohibited by England.

Our salted pork and breadstuff (except maize) are received under temporary laws only in the dominions of France, and our salted fish pays there a weighty duty.

3. IN THE ARTICLE OF NAVIGATION.—Our own carriage of our own tobacco is heavily dutied in Sweden, and lately in France.

We carry no article not of our own production to the British ports in Europe.

Nor even our own produce to her American possessions.

Such being the restrictions on the commerce and navigation of the United States, the question is, in what way they may best be removed, modified, or counteracted?

As to commerce two methods occur: 1. By friendly arrangements with the several nations with whom these restrictions exist; or, 2. By the separate act of our own Legislature for countervailing their effects.

There can be no doubt but that of these two friendly arrangement is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world—could every country be employed in producing that which nature has best fitted it to pro-

duce, and each be free to exchange with others mutual surplusses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness—the numbers of mankind would be increased, and their condition bettered.

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue, by way of impost, on commerce, its freedom might be modified, in that particular, by mutual and equivalent measures, preserving it entire in all others.

Some nations, not yet ripe for free commerce, in all its extent, might still be willing to mollify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature. Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessities of life, or materials for manufacture, or convenient subjects for revenue; and we take in exchange either manufactures, when they have received the last finish of art and industry, or mere luxuries. Such customers may reasonably expect welcome and friendly treatment at every market—customers, too, whose demands, increasing with their wealth and population, must very shortly give full employment to the whole industry of any nation whatever, in any line of supply they may get into the habit of calling for from it.

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behoves us to protect our citizens, their commerce, and navigation, by counter prohibitions, duties, and regulations also. Free commerce and navigation are not to be given in exchange for restrictions and vexations; nor are they likely to produce a relaxation of them.

Our navigation involves still higher considerations. As a branch of industry it is valuable; but, as a resource of defence, essential.

Its value, as a branch of industry, is enhanced by the dependence of so many other branches on it. In times of general peace it multiplies competitors for employment in transportation, and so keeps that at its proper level; and in times of war, that is to say, when those nations who may be our principal carriers, shall be at war with each other, if we have not within ourselves the means of transportation, our produce must be exported in belligerent vessels at the increased expense of war-freight and insurance, and the articles which will not bear that must perish on our hands.

But it is as a resource for defence that our navigation will admit neither neglect nor forbearance. The position and circumstances of the United States leave them nothing to fear on their land,

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board, and nothing to desire beyond their present rights. But, on their seaboard, they are open to injury, and they have there, too, a commerce which must be protected. This can only be done by possessing a respectable body of citizen seamen, and of artists and establishments in readiness for ship-building.

Were the ocean, which is the common property of all, open to the industry of all, so that every person and vessel should be free to take employment wherever it could be found, the United States would certainly not set the example of appropriating to themselves, exclusively, any portion of the common stock of occupation. They would rely on the enterprise and activity of their citizens for a due participation of the benefits of the seafaring business, and for keeping the marine class of citizens equal to their object. But if particular nations grasp at undue shares, and more especially, if they seize on the means of the United States to convert them into alient for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defence; its productions will lie at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce. The carriage of our own commodities, if once established in another channel, cannot be resumed in the moment, we may desire. If we lose the seamen and artists, whom it now occupies, we lose the present means of marine defence, and time will be requisite to raise up others, when disgrace or losses shall bring home to our feelings the error of having abandoned them. The materials for maintaining our due share of navigation are ours in abundance; and, as to the mode of using them, we have only to adopt the principles of those who thus put us on the defensive, or others equivalent and better fitted to our circumstances.

The following principles, being founded in reciprocity, appear perfectly just, and to offer no cause of complaint to any nation:

1. Where a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs, first burdening or excluding those productions which they bring here in competition with our own of the same kind—selecting next such manufactures as we take from them in greatest quantity, and which at the same time we could the soonest furnish to ourselves, or obtain from other countries—imposing on them duties lighter at first, but heavier and heavier afterwards, as other channels of supply open. Such duties having the effect of indirect encouragement to domestic manufactures of the same kind may induce the manufacturer to come himself into these States where cheaper subsistence, equal laws, and a vent of his wares, free of duty, may insure him the highest profits from his skill and industry. And here it would be in the power of the State Governments to co-operate essentially by opening the resources of

encouragement which are under their control, extending them liberally to artists in those particular branches of manufacture, for which their soil, climate, population, and other circumstances, have matured them, and fostering the precious efforts and progress of household manufacture by some patronage suited to the nature of its objects, guided by the local informations which they possess, and guarded against abuse by their presence and attentions. The oppressions on our agriculture in foreign ports would thus be made the occasion of relieving it from a dependence on the councils and conduct of others, and of promoting arts, manufactures, and population at home.

2. Where a nation refuses permission to our merchants and factors to reside within certain parts of their dominions, we may, if it should be thought expedient, refuse residence to theirs in any and every part of ours, or modify their transactions.

3. Where a nation refuses to receive in our vessels any productions but our own, we may refuse to receive, in theirs, any but their own productions. The first and second clauses of the bill reported by the Committee are well formed to effect this object.

4. Where a nation refuses to consider any vessel as ours, which has not been built within our Territories, we should refuse to consider as theirs any vessel not built within their Territories.

5. Where a nation refuses to our vessels the carriage even of our own productions to certain countries under their domination, we might refuse to theirs, of every description, the carriage of the same productions to the same countries. But as justice and good neighborhood would dictate, that those who have no part in imposing the restriction on us, should not be the victims of measures adopted to defeat its effect, it may be proper to confine the restriction to vessels owned or navigated by any subjects of the same dominant Power, other than the inhabitants of the country to which the said productions are to be carried. And to prevent all inconvenience to the said inhabitants, and to our own, by too sudden a check on the means of transportation, we may continue to admit the vessels marked for future exclusion, on an advanced tonnage, and for such length of time only as may be supposed necessary to provide against that inconvenience.

The establishment of some of these principles by Great Britain alone has already lost us in our commerce with that country and its possessions between eight and nine hundred vessels of near 40,000 tons burden, according to statements from official materials in which they have confidence. This involves a proportional loss of seamen, shipwrights, and ship-building, and is too serious a loss to admit forbearance of some effectual remedy.

It is true we must expect some inconvenience in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing when weighed against the loss of wealth, and loss of force, which will follow our perseverance in the

*Decrees Relating to Commerce.*

plan of indiscrimination. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation, by duties and prohibitions, as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions, or for our due share in the transportation of them, but to our own means of independence, and the firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before-mentioned—perhaps not a commercial nation on earth—is without them. In our case one distinction alone will suffice, that is to say, between nations who favor our productions and navigation, and those who do not favor them. One set of moderate duties, say the present duties, for the first, and a fixed advance on these, as to some articles, and prohibitions as to others, for the last.

Still it must be repeated that friendly arrangements are preferable with all who will come into them; and that we should carry into such arrangements all the liberality and spirit of accommodation which the nature of the case will admit.

France has, of her own accord, proposed negotiations for improving, by a new treaty, on fair and equal principles, the commercial relations of the two countries. But her internal disturbances have hitherto prevented the prosecution of them to effect, though we have had repeated assurances of a continuance of the disposition.

Proposals of friendly arrangement have been made on our part, by the present Government, to that of Great Britain, as the Message states; but, being already on as good a footing in law, and a better in fact than the most favored nations, they have not, as yet, discovered any disposition to have it meddled with.

We have no reason to conclude that friendly arrangements would be declined by the other nations with whom we have such commercial intercourse as may render them important. In the meanwhile, it would rest with the wisdom of Congress to determine whether, as to those nations, they will not surcease *ex parte* regulations, on the reasonable presumption that they will concur in doing whatever justice and moderation dictate should be done.

TIL. JEFFERSON.

#### DECREES RELATING TO COMMERCE.

The SECRETARY OF STATE, to whom the President of the United States referred the resolution of the House of Representatives of December 24, 1793, desiring the substance of all such laws, decrees, or ordinances, respecting commerce in any of the countries with which the United States have commercial intercourse, as have been received by the Secretary of State, and not already stated to the House in his report of the 16th instant, reports:

That he has had an official communication of a Decree rendered by the National Assembly of France on the 26th day of March last, of which the following is a translation:

#### DECREE,

*Exempting from all duties the substances and other objects of supply in the Colonies, relatively to the United States, pronounced in the sitting of the 26th of March, 1793, 2d year of the French Republic.*

The National Convention, willing to prevent, by precise dispositions, the difficulties that might arise relatively to the execution of its decree of the 19th February last, concerning the United States of America—to grant favors to this ally-nation, and to treat it, in its commercial relations with the Colonies of France, in the same manner as the vessels of the Republic decree as follows:

ART. 1. From the day of the publication of the present decree in the French American Colonies, the vessels of the United States, of the burden of sixty tons at the least, laden only with meals and subsistences, as well as the objects of supply announced in article 2, of the *arrêt* of 30th August, 1784, as also lard, butter, salted salmon, and candles, shall be admitted in the ports of said Colonies exempt from all duties. The same exemption shall extend to the French vessels laden with the same articles, and coming from a foreign port.

ART. 2. The captains of vessels of the United States, who, having brought into the French American Colonies the objects comprised in the above article, wish to return to the territory of the said States, may lade in the said Colonies, independent of sirups, rum, taffias, and French merchandises, a quantity of coffee equivalent to the one-fiftieth of the tonnage of every vessel, as also a quantity of sugar equal to the one-tenth, on conforming to the following articles:

ART. 3. Every captain of an American vessel, who wishes to make returns to the United States of coffee and sugar of the French Colonies, shall make it appear that his vessel entered therein with at least two-thirds of her cargo, according to article 1. For this purpose, he shall be obliged to transmit, within twenty-four hours after his arrival, to the custom-house of the place he may land at, a certificate of the marine agents, establishing the guage of his vessel and the effective tonnage of her cargo. The heads of the said custom-houses shall assure themselves that the exportation of the sugars and coffee does not exceed the proportion fixed by the second article of the present decree.

ART. 4. The captains of vessels of the United States of America shall not pay, on going from the islands, as well as those of the Republic, but a duty of 5 livres per quintal of indigo, 10 livres per thousand weight of cotton, 5 livres per thousand weight of coffee, 5 livres per thousand weight of brown and clayed sugars, and 50 sols per thousand weight of raw sugar. Every other merchan-

*Decrees Relating to Commerce.*

dise shall be exempt from duty on going out of the Colonies.

ART. 5. The sugars and coffee which shall be laden shall pay at the custom-houses which are established in the colonies, or that shall be established, in addition to the duties above fixed, those imposed by the law of 19th March, 1791, on the sugars and coffee imported from the said Colonies to France, and conformably to the same law.

ART. 6. The captains of vessels of the United States, who wish to lade merchandises of the said Colonies, for the ports of France, shall furnish the custom-house at the place of departure with the bonds required of the masters of French vessels, by the second article of the law of 10th July, 1791, to secure the unloading of these merchandises in the ports of the Republic.

ART. 7. The vessels of the nations with whom the French Republic is not at war may carry to the French American Colonies all the objects designated by the present decree. They may also bring, into the ports of the Republic only, all the productions of the said Colonies, on the conditions announced in the said decree, as well as that of 10th of February.

Copy conformable to the original.

GENET.

That he has not received officially any copy of the decree said to have been rendered by the same Assembly on the 27th day of July last, subjecting the vessels of the United States laden with provisions to be carried, against their will, into the ports of France, and those having enemy goods on board to have such goods taken out as legal prize.

That an ordinance has been passed by the Government of Spain, on the 9th day of June last, the substance of which has been officially communicated to him in the following words, to wit :

*Extract of an Ordinance for regulating provisionally the commerce of Louisiana and the Floridas, dated the 9th of June, 1793.*

The preamble states that the inhabitants of Louisiana, being deprived of their commerce with France, (on account of the war,) as allowed by the ordinance of January, 1782, &c., His Majesty considering that they and the inhabitants of the Floridas cannot subsist without the means of disposing of their productions and of acquiring those necessary for their own consumption ; for that purpose, and to increase the national commerce—the commerce of those provinces and their agriculture—has directed the following articles to be provisionally observed :

The inhabitants of the above-mentioned provinces to be allowed to commerce freely both in Europe and America with all friendly nations who have treaties of commerce with Spain ; New Orleans, Pensacola, and St. Augustine, to be ports for that purpose. No exception as to the articles to be sent or to be received. Every vessel, however, to be subjected to touch at Corcubion, in Galicia, or Alicante, and to take a permit there, without which, the entry not to be allowed in the ports above mentioned.

The articles of this commerce, carried on thus directly between those provinces and foreign nations to pay a duty of fifteen per cent. importation and six per cent. exportation, except negroes, who may be imported free of duty. The productions and silver exported to purchase those negroes to pay the six per cent. exportation duty. The exportation of silver to be allowed for this purpose only.

The commerce between Spain and those provinces to remain free. Spaniards to be allowed to observe the same rules and to fit out from the same ports (in vessels wholly belonging to them, without connexion with foreigners) for those provinces as for the other Spanish Colonies.

To remove all obstacles to this commerce, all sorts of merchandise destined for Louisiana and the Floridas (even those whose admission is prohibited for other places) may be entered in the ports of Spain, and, in like manner, tobacco and all other prohibited articles may be imported into Spain from these provinces, to be re-exported to foreign countries.

To improve this commerce and encourage the agriculture of those provinces, the importation of foreign rice into the ports of Spain is prohibited, and a like preference shall be given to the other productions of these provinces, when they shall suffice for the consumption of Spain.

All articles exported from Spain to these provinces shall be free of duty on exportation, and such as being foreign, shall have paid duty on importation into Spain, shall have it restored to exporters.

These foreign articles, thus exported, to pay a duty of three per cent. on entry in those provinces. Those which are not foreign to be free of duty.

The articles exported from those provinces to Spain to be free of duty, whether consumed in Spain or re-exported to foreign countries.

Those Spanish vessels which, having gone from Spain to those provinces, should desire to bring back productions from thence directly to the foreign ports of Europe, may do it on paying a duty of exportation of three per cent.

All vessels, both Spanish and foreign, sailing to those provinces, to be prohibited from touching at any other port in His Majesty's American Dominions.

No vessel to be fitted out from New Orleans, Pensacola, or St. Augustine, for any of the Spanish islands or other Dominions in America, except for some urgent cause, in which case only the respective Governors to give a permission, but without allowing any other articles to be embarked than the productions of those provinces.

All foreign vessels purchased by His Majesty's subjects, and destined for this commerce, to be exempted from those duties to which they are at present subjected, they proving that they are absolute and sole proprietors thereof.

He takes this occasion to note an act of the British Parliament, of the 28 George III., chap. 6, which, though passed before the epoch to which his report aforesaid related, had escaped his researches. The effect of it was to convert the pro-



*Spoliations on Commerce.*

clamations regulating our direct intercourse with their West Indian islands into a standing law, and so far to remove the unfavorable distinction between us and foreign nations, stated in the report, leaving it, however, in full force as to our circuitous intercourse with the same islands, and as to our general intercourse, direct and circuitous, with Great Britain and all her other Dominions.

TH. JEFFERSON.

DECEMBER 30, 1793.

SPOLIATIONS ON COMMERCE.

*Gentlemen of the Senate, and  
of the House of Representatives:*

The Secretary of State having reported to me upon the several complaints which have been lodged in this office against the vexations and spoliations on our commerce since the commencement of the European war, I transmit to you a copy of his statement, together with the documents upon which it is founded.

GEORGE WASHINGTON.

UNITED STATES, March 5, 1794.

PHILADELPHIA, March 2, 1794.

SIR: In your Message to both Houses of Congress, on the 5th of December, 1793, you inform them, that "The vexations and spoliations understood to have been committed on our vessels and commerce by the cruisers and officers of some of the belligerent Powers, appeared to require attention: That the proofs of these, however, not having been brought forward, the description of citizens, supposed to have suffered, were notified, that on furnishing them to the Executive, due measures would be taken to obtain redress of the past, and more effectual provisions against the future," and that "should such documents be furnished, proper representations will be made thereon, with a just reliance on a redress proportioned to the exigency of the case."

On my succession to the Department of State, I found a large volume of complaints—which the notification had collected—against severities on our trade, various in their kind and degree. Having reason to presume, as the fact has proved, that every day would increase the catalogue, I have waited to digest the mass, until time should have been allowed for exhibiting the diversified forms in which our commerce has hourly suffered. Every information is at length obtained which may be expected.

The sensations excited by the embarrassments, danger, and even ruin, which threaten our trade, cannot be better expressed than in the words of the committee of Philadelphia. After enumerating particular instances of injury, their representation to Government proceeds thus: "On these cases, which are accompanied by the legal proofs, the committee think it unnecessary to enlarge, as the inferences will, of course, occur to the Secretary; but they beg leave to be permitted

to state other circumstances, which, though not in legal proof, are, either of such public notoriety, as to render legal proof unnecessary, or so vouched to the committee as to leave them in no doubt of the truth of them.

"It has become a practice for many of the privateers of the belligerent Powers to send into port all American vessels they meet with, bound from any of the French ports in the West Indies to the United States, and it is positively asserted, that the owners, or some of them, have given general instructions to their captains to that effect. And though many of those vessels have been afterwards liberated, yet the loss by plunder, detention, and expense, is so great as to render it ruinous to the American owner. In many cases, where the cargoes have been valuable, the owners of the privateers, after acquittal, have lodged appeals which they never intended to prosecute, but merely with a view of getting the property into their hands upon a valuation made so unfairly as to insure them a considerable profit, even if they should be finally made liable.

"Fourteen days only are allowed to an American owner to make his claim, which renders it impossible for him, except he is on the spot, and every difficulty which a combination of interested persons can devise, is thrown in the way to prevent his getting security, and in few instances can it be done, but by making over his vessels and cargo to the securities, and thereby subjecting himself to the heavy additional charge of commission, insurance, &c. It may be added, that the most barefaced bribery is sometimes practised to prevail on unwary boys, or those who know little of the obligation of an oath, to induce them to give testimony in favor of the captors.

"Besides the cases here enumerated, the committee have information of a number of vessels belonging to this port being captured and carried into different ports; but as the legal proofs are not come forward, they forbear to mention them.

"It is proper, however, for them, to add, that besides the loss of property occasioned by those unjust captures and detentions, the masters and crews of the vessels are frequently subjected to insults and outrages that must be shocking to Americans. Of this, the case of Captain Wallace is an instance. There are others within the knowledge of the committee, of which they only wait the legal proof, to lay them before the Secretary.

"To this last list of grievances, the committee are sorry to find it their duty to add, that by reason of the vexation, loss, and outrages, suffered by the merchants of the United States, its commerce already begins to languish, and its products are likely to be left upon the hands of those who raise them. Prudent men doubt the propriety of hazarding their property, when they find that the strictest conformity with the Laws of Nations, or of their own country, will not protect them from the rapacity of men who are neither restrained by the principles of honor, nor by laws sufficiently coercive to give security to those who are not subjects of the same Government.



*Spoliations on Commerce.*

"The committee conclude this representation with an assurance, that they have in no degree exaggerated in the statement they have made, and that they will continue to communicate all such information as they may further receive; of which nature, before the closing of this report, they are sorry to add, is that of the irruptions of the Algerines from the Mediterranean, in consequence of a truce concluded with that Regency, it is said, by the British Minister, on behalf of Portugal and Holland. This alarming event, to which some American ships, we hear, have already become victims, is of so distressing a nature, as must soon deprive us of some of the most lucrative branches of our commerce, if not speedily checked or prevented. The immediate rise it has produced in insurance, and the fears it may instil into our seamen and commanders, are of a nature highly deserving the serious consideration of Government, on whose protection and zeal for the interests, commercial and agricultural, of the country, the committee implicitly rely."

In a supplementary letter, the committee of Philadelphia make this conclusion: "That the cases which they recite, and others less formally announced, serve to show, that there are frequent instances of suppression of papers, registers, &c., very prejudicial to our shipping on their trials, and of injuries by the destruction of letters to the general correspondence of the country with foreign nations."

When we examine the documents which have been transmitted from different parts of the Union, we find the British, the French, the Spaniards, and the Dutch, charged with attacks upon our commerce.

It is urged against the British,

1. That their privateers plunder the American vessels, throw them out of their course, by forcing them, upon groundless suspicion, into ports other than those to which they were destined; detain them, even after the hope of a regular confiscation is abandoned; by their negligence, while they hold the possession, expose the cargoes to damage and the vessels to destruction, and maltreat their crews.

2. That British ships-of-war have forcibly seized mariners belonging to American vessels and in one instance, under the protection of a Portuguese fort.

3. That by British regulations and practice our corn and provisions are driven from the ports of France, and restricted to the ports of the British, or those of their friends.

4. That our vessels are not permitted to go from the British ports in the Islands, without giving security (which is not attainable but with difficulty and expense) for the discharge of the cargo, in some other British or neutral port.

5. That without the imputation of a contraband trade as defined by the Law of Nations, our vessels are captured for carrying on a commercial intercourse with the French West Indies, although it is tolerated by the laws of the French Republic, and that for this extraordinary conduct, no other excuse is alleged than that by some

edict of a King of France, this intercourse was prohibited; and

6. That the conduct of the Admiralty in the British Islands is impeachable for an excess of rigor, and a departure from strict Judicial purity; and the expenses of an appeal to England too heavy to be encountered under all the circumstances of discouragement.

Against the French it is urged,

1. That their privateers harass our trade no less than those of the British.

2. That two of their ships-of-war have committed enormities on our vessels.

3. That their Courts of Admiralty are guilty of equal oppression.

4. That besides these points of accusation, which are common to the French and British, the former have infringed the treaty between the United States and them, by subjecting to seizure and condemnation our vessels trading with their enemies in merchandise, which that treaty declares not to be contraband, and under circumstances not forbidden by the Law of Nations.

5. That a very detrimental embargo has been laid upon large numbers of American vessels in the French ports;\* and

6. That a contract with the French Government for coin has been discharged in depreciated assignats.

Against the Spaniards the outrages of privateers are urged;

And against the Dutch, one condemnation in the Admiralty is insisted to be unwarrantable.

Under this complication of mischief, which persecutes our commerce, I beg leave, sir, to submit to your consideration, whether representations as far as facts may justify, ought not to be immediately pressed upon the foreign Governments, in those of the preceding cases, for which they are responsible.

Among these, I class, 1. The violences perpetrated by public ships-of-war. 2. Prohibitions, or regulations inconsistent with the Laws of Nations. 3. The improper conduct of Courts. 4. Infractions of Treaty. 5. The imposition of embargoes; and, 6. The breach of public contracts. How far a Government is liable to redress the rapine of privateers, depends upon the peculiarities of the case. It is incumbent upon it, however, to keep its Courts freely open, and to secure an impartial hearing to the injured applicant. If the rules prescribed to privateers be too loose, and opportunities of plunder or ill treatment be provoked from that cause, or from the prospect of impunity, it is impossible to be too strenuous in remonstrating against this formidable evil.

Thus, sir, have I reduced to general heads the particular complaints, without making any inquiry into the facts beyond the allegations of the parties interested.

I will only add, that your Message seems to promise to Congress some statement upon these subjects.

\* There is reason to believe that the embargo was removed in December last, and the detention compensated by an order of the Committee of Public Safety in France.

*Increase of Duties.*

I have the honor, sir, to be, with the highest respect, your most obedient servant,

EDMUND RANDOLPH.

THE PRESIDENT OF THE UNITED STATES.

### INCREASE OF DUTIES.

[Communicated to the House of Representatives, April 17, 1794.]

Mr. WILLIAM SMITH, from the committee appointed to inquire whether any or what further revenues are necessary for the support of the public credit, and if further revenues are necessary, to report the ways and means, made the following Report :

That, on referring to the estimate laid before the Legislature by the Secretary of the Treasury, they find that the revenues to the end of the year 1794, are estimated to produce - - \$6,618,584 19

And that, for the support of Government, Military Establishment, and other services designated by law, previous to, and during the present session, there would be wanting the sum of - - - \$7,044,217 98

And that further sums will probably be requisite for which provision ought to be made, viz : for the addition to the Military Establishment, provisional force, and expenses of militia - - - \$650,000 00

That the estimated product of the impost being made at a time when our commerce was unembarrassed, and no interruption of it contemplated, the committee are of opinion that a deduction should be made on that account, of \$1,300,000; from which it results, that there is a deficiency of funds to answer the demands of the present year, of \$2,375 79; but, as the sum of one million provided for foreign intercourse, is directed to be borrowed, if wanting, the committee have deducted that sum, except \$100,000 for the interest arising thereon, which leaves the sum to be provided - - - \$1,435,633 79

To raise which sum, the committee propose that there be raised, by additional impost and tonnage - - - \$392,500

On carriages, wagons, carts, and drays excepted - - - 150,000  
On stamps - - - 100,000  
On sales at auction - - - 100,000  
On manufactured tobacco and snuff - - 100,000  
On loaf and lump sugars - - - 50,000

On licenses for retailing wines and distilled spirits - - - 100,000

By direct taxes on lands - - - \$992,500  
750,000

\$1,742,500

Which sums exceed the current demands, \$306,866 21; but as the estimates on most of the articles are conjectural, and without sufficient data for obtaining a correct opinion as to the probable amount, the committee have thought it more expedient to provide for a surplus than suffer the revenue to prove deficient; and, in conformity with the foregoing estimates, they submit the following resolutions :

*Resolved*, That, from and after the — day of — next, there be levied, collected, and paid, upon the following articles, imported into the United States in ships or vessels of the United States, with an addition of one-tenth per cent. on like articles imported in any other ships or vessels, the several duties hereinafter mentioned, over and above duties now paid, to be levied, collected, and paid in the same manner, by the same officers, subject to the same penalties, and entitled to draw-backs, as the same articles are now subject and entitled to, viz :

On boots, per pair, twenty-five cents.

On shoes and slippers, for men and women, and on clogs, and golo shoes, per pair, five cents.

On shoes and slippers for children, per pair, three cents.

On millinery, ready made, artificial flowers, feathers, and other ornaments for women's head-dresses, and on dolls, dressed and undressed, 5 per cent. ad valorem.

On cast, slit, and rolled iron, and generally on all manufactures of iron, steel, tin, pewter, copper, brass, or of which either of those metals is the article of chief value, not being otherwise particularly enumerated, (brass and iron wire, locks, hinges, hoes, anvils, and vices, excepted,) 5 per cent. ad valorem.

On carpets and carpeting, 5 per cent. ad valorem.

On leather, tanned or tawed, and generally all manufactures of leather, or of which leather is the article of chief value, not otherwise particularly enumerated, 5 per cent. ad valorem.

On medicinal drugs, except those commonly used in dyeing; on mats and floor cloths; on hats, caps, and bonnets, of every sort, for women; on gloves, mittens, stockings, fans, buttons, of every kind, buckles, (shoe and knee,) 5 per cent. ad valorem.

On sheathing and cartridge paper; on all powders, pastes, balls, balsams, ointments, oils, waters, washes, tinctures, essences, or other preparations or compositions, commonly called sweet scents or odors, perfumes, or cosmetics; and on all dentifrices, powders, or preparations for the teeth or gums, 5 per cent. ad valorem.

On gold, silver, or plated wares, gold and silver lace, jewelry, and paste work, clocks and watches, and the parts of either, 5 per cent. ad valorem.

*Increase of Duties.*

On groceries, to wit: cinnamon, cloves, mace, nutmegs, ginger, aniseed, currants, dates, prunes, raisins, sugar-candy, oranges, lemons, limes, and generally all fruits and comfits, olives, capers, pickles of every sort, oil, and mustard in flour, 5 per cent, ad valorem.

On all marble, slate, or other stone, on bricks, tiles, tables, mortars, and other stone, and generally all stone and earthen ware, 5 per cent. ad valorem.

On cabinet wares, and all manufactures of wood, or of which wood is the material of chief value, 5 per cent. ad valorem.

On carriages, and parts of carriages,  $4\frac{1}{2}$  per cent.

On all manufactures of cotton or linen, or of muslins of cotton and linen, or of which cotton or linen is the material of chief value, being printed, stained, or colored,  $2\frac{1}{2}$  per cent.

On coffee, per pound, 1 cent.

On cocoa, per pound, 2 cents.

On cheese, per pound, 3 cents.

On salt, per bushel, 3 cents.

On the tonnage of ships or vessels of the United States employed in foreign trade, six cents per ton.

On all other ships or vessels, 25 cents per ton.

*Resolved*, That, after the — day of —, every person keeping a carriage, for the conveying of persons, for their own use, shall notify the same at some office which may be designated for the purpose, and shall pay, annually,

For a coach, 10 dollars.

For a chariot, 8 dollars.

For any other four-wheeled carriage, 6 dollars.

For a chaise, or other two wheeled carriage, 2 dollars.

With an addition of one-fourth, where two carriages shall be kept by one person; of one third, where three carriages shall be kept by one person; and of one half, where more than three carriages are kept by the same person.

*Resolved*, That after the — day of —, there be paid the following stamp duties:

Letters patent, 2 dollars.

Exemplification thereof, 1 dollar.

Licenses or certificates of admission of solicitors, attorneys, clerks, advocates, proctors, and other officers of Courts, 6 dollars.

Exemplification under the seals of Courts, 50 cents.

Affidavits and affirmations, except those before the officers of the public revenue, those relative to suits pending in Courts, to be used therein, and those relative to criminal proceedings, 10 cents.

Deeds, except those otherwise particularly rated, 25 cents.

Charter parties, 1 dollar.

Bottomry and respondentia bonds, 1 dollar.

Apprentices' indentures, 15 cents.

Certificates of debentures for drawbacks, 20 cents.

Bills of lading coastwise, except for vessels going from one district to another within the same State, 10 cents.

Do. foreign, 20 cents.

Inventories of the effects of deceased persons, or for any other purpose prescribed by law, except in cases of goods distrained, or in compliance of any agreement between two or more persons, 10 cents.

Bonds for the security of money, when the sum is above fifty, and not exceeding one hundred dollars, 20 cents.

Above one hundred, and not exceeding five hundred dollars, 25 cents.

Above five hundred, and not exceeding one thousand dollars, 30 cents.

Above one thousand dollars, 40 cents.

Receipts for legacies, or shares of personal estate, in cases of intestates, where the sum is above fifty, and not exceeding one hundred dollars, 25 cents.

More than one hundred, and not exceeding five hundred dollars, 50 cents.

For every further sum above five hundred dollars, 1 dollar.

[Not to extend to wives, children, or grand-children.]

Notarial acts, 25 cents.

Letters of attorney, 25 cents.

Policies of insurance, from one district to another in the United States, 20 cents.

To and from the United States to any foreign country, for any sum not exceeding five hundred dollars, 25 cents.

For every further sum more than five hundred dollars, 25 cents.

For every sum of two thousand dollars, or upwards, 1 dollar.

Probates of wills, and letters of administration, 50 cents.

*Resolved*, That, after the — day of —, there shall be paid on all sales at auction, except in cases of property sold upon execution, or by virtue of distresses for rent or tax, or in consequence of bankruptcies, and legal insolvencies, or where there have been general assignments for the benefit of creditors, or in cases where ships and goods have been stranded or wrecked, or in cases of sale by executors or administrators, or of produce sold upon the land where it is produced, at the rate of 1 per cent.

*Resolved*, That, after the — day of —, there shall be paid upon all tobacco manufactured in the United States, 4 cents per pound.

On all snuff, 8 cents per pound.

That every manufacturer of tobacco or snuff, shall, on or before the — day of —, make entry with the officer of inspection of the district in which he resides, of the house or building in which the manufactory is carried on, and shall enter into bond, with sufficient surety, to render a faithful account every three months, of the quantity of tobacco or snuff sold or sent out, within that period.

That, previous to taking in any tobacco for the purpose of being manufactured, he shall notify the same to the office of inspection, and shall keep a book in which shall be entered daily the quantity of tobacco or snuff sold or sent out in each day.

*Resolved*, That there be laid an additional duty of four cents per pound upon all tobacco, eight

*Balances due to and from the several States—Public Debt.*

cents per pound on all snuff, and two cents per pound on all refined sugar imported into the United States, after the — day of —.

*Resolved*, That, after the — day of —, there be paid on all sugars refined within the United States, 2 cents per pound.

*Resolved*, That after the — day of —, every person selling distilled spirits, or wines, for consumption out of their own dwellings, distilled spirits in less quantity than twenty gallons, wines in less quantity than thirty gallons, except in the original cask or package in which they were imported, shall take out licenses to authorize the sale of such distilled spirits and wines, and shall pay, annually, for a license to sell all foreign distilled spirits, 5 dollars.

For a license to sell all wines, 5 dollars.

*Resolved*, That the sum of seven hundred and fifty thousand dollars be raised by direct tax, for the year 1794, to be apportioned among the States, agreeably to the rule prescribed by the Constitution.

## APPROPRIATIONS.

1. Appropriations for the support of Government - - -	\$521,447 24
2. Do. for War Department, including fortifications - - -	1,629,936 01
3. Interest on Public Debt - - -	2,849,194 73
4. Frigates - - -	700,000 00
5. Appropriations for foreign intercourse - - -	1,000,000 00
6. Arsenal, &c. - - -	313,640 00
7. Addition to the Military Establishment, &c. - - -	650,000 00
	<hr/>
	\$6,694,217 98

## WAYS AND MEANS.

1. Surplus of revenue for 1793 - - -	\$1,118,584 19
2. Probable product of impost for 1794 - - -	3,300,000 00
2. Do. excise - - -	400,000 00
4. Probable surpluses of appropriations out of the revenues of 1793 - - -	500,000 00
	<hr/>
	5,318,584 19
	<hr/>
	\$2,375,633 79

## BALANCES DUE TO AND FROM THE SEVERAL STATES.

[Communicated to Congress, December 4, 1793.]

OFFICE OF THE COMMISSIONERS OF ACCOUNTS,

PHILADELPHIA, June 29, 1793.

The Commissioners appointed to execute the several acts of Congress, to provide more effectually for the settlement of the accounts between the United States and the individual States, report:

That they have maturely considered the claims of the several States against the United States,

and the charges of the United States against the individual States.

That they have gone through the process prescribed in the 5th section of the act of Congress, passed the 5th day of August, 1790, (the particulars whereof will be found in Book A, lodged with the papers of this office in the Treasury Department,) and find that there is due, including interest, to the 31st day of December, 1789, to the State of -

New Hampshire - - -	\$75,055
Massachusetts - - -	1,248,801
Rhode Island - - -	299,611
Connecticut - - -	619,121
New Jersey - - -	49,630
South Carolina - - -	1,205,978
Georgia - - -	19,988

And that there is due, including interest, to the 31st day of December, 1789, from the State of—

New York - - -	\$2,074,846
Pennsylvania - - -	76,009
Delaware - - -	612,428
Maryland - - -	151,640
Virginia - - -	100,879
North Carolina - - -	501,082

Which several sums they, by virtue of the authority to them delegated, declare to be the final and conclusive balances due to and from the several States.

WM. IRVINE,  
JOHN KEAN,  
WOODBURY LANGDON.

I certify the above to be a true copy of the original.

B. W. DANBRIDGE,  
*Secretary to the President of the U. States.*

## PUBLIC DEBT.

[Communicated to the House of Representatives, December 15, 1794.]

Mr. WILLIAM SMITH, from the Committee appointed to prepare and report a plan for the redemption of the Public Debt, made the following report:

That, from the documents accompanying this report, marked A and B, it appears that the surplus of the existing revenues beyond the probable expenditures for the year 1795 and to the succeeding years, will enable the Legislature to commence, during the year 1795, and to continue thereafter, the payment of that portion of the Public Debt which the Government has by law reserved the right to redeem.

The committee, therefore, submit the following resolution:

*Resolved*, That there be appropriated, out of the revenues of the year 1795, a sum not exceeding six hundred thousand dollars, to be applied to the payment of two dollars on every hundred dollars of the amount of that part of the Public Debt which bears an actual interest of six per cent., the said payment to be made on the — day of — next.

The committee further report, that it would, in

*Public Debt.*

their opinion, be expedient to appropriate, until the year 1801, all the revenues arising from the duties and taxes on manufactured sugar and snuff, on licenses for retailing wines and spirituous liquors, on sales at auction, and on carriages, to the payment of so much of the Public Debt as the Government shall annually have a right to redeem, and for that purpose to prolong the duration of the said duties and taxes to the year 1801. They therefore recommend the following resolution :

*Resolved*, That the several clauses of limitation in the acts for laying duties and taxes on manufactured sugar and snuff, on licenses for retailing wines and spirituous liquors, on sales at auction, and on carriages, be repealed; that the said several acts be continued in force until the year 1801, and that the moneys arising therefrom be appropriated to the discharge of that portion of the Public Debt which is redeemable by law—subject, however, to a substitution of other duties or taxes of equal value, to all or any of the said duties and taxes.

The following resolutions, as connected with this subject, are also submitted by the committee :

*Resolved*, That the eighth section of the act of last session, laying additional duties on goods, wares, and merchandisc, be repealed; and that the duration of the said act be made commensurate with the act for laying such duties, passed 10th of August, 1790, entitled "An act making further provision for the Debt of the United States."

*Resolved*, That the surplus of revenue which may hereafter exist, after satisfying all legal appropriations, ought to be annually appropriated to the purchase of the Public Debt.

The prospect of an approaching peace with the Indian tribes having suggested to the committee the propriety of resorting to the Western lands, as an auxiliary resource for the discharge of the Public Debt, they recommend the following resolution :

*Resolved*, That provision be made for the sale of the public lands in the Western Territory.

*Unsatisfied charges upon the Revenue at the close of 1793*

To balance of unsatisfied appropriations at the end of the year 1793, exclusive of the balance of the Foreign Fund at that time	-	-	\$2,378,882	80
From which is deducted balance of the Interest Fund, then remaining unexpended, in purchases of the Domestic Debt	-	-	31,649	33
				<u>\$2,347,232 97</u>
To balance remaining unexpended of the proceeds of Foreign Loans, transferred to the United States	-	-	-	1,257,503 58
				<u>3,604,736 55</u>
Balance, being surplus of revenues beyond the appropriations stated at the Treasury, to the end of the year 1793	-	-	-	2,487,181 07
				<u>6,091,917 62</u>

*Unexpended Funds at the close of 1793.*

Balance in the Treasury on December 31, 1793	-	-	-	753,661 69
Amount to be accounted for on December 31, 1793 by the collectors	-	5,250,151	66	
To which is added amount of warrants, passed to their credit in the year 1793, which are not stated in the Treasurer's account, till the year 1794	-	45,886	94	
			<u>5,296,038 60</u>	
From which is deducted amount of warrants included in the Treasurer's accounts for the year 1793, and not passed to the credit of collectors, till the year 1794	-	-	170,032 48	
				<u>5,126,006 12</u>
Amount for which Supervisors were accountable on December 31, 1793	-	281,456	87	
To which is added amount of warrants credited to them in the year 1793, not stated in the Treasurer's accounts, till the year 1794	-	1,804	04	
			<u>283,260 41</u>	
From which is deducted amount of warrants included in the Treasurer's accounts for the year 1793, paid Supervisors whose accounts have not been adjusted	-	-	71,010 60	
				<u>212,249 81</u>
				<u>6,091,917 62</u>

A.

## ESTIMATED CHARGES UPON THE REVENUE FOR THE YEAR 1794.

Appropriations for the service of the year 1794. viz. :		
By the act of March 14, 1794, for the support of Government	-	\$521,447 24
For expenses of intercourse with foreign nations, under the first section of this act, payable out of any unappropriated moneys. The whole sum appropriated is 1,000,000 dollars, of which the domestic revenue		

*Public Debt.*

will probably be adequate to the reimbursement of 200,000 borrowed in the United States under this act, and which sum is, therefore, stated as an appropriation	200,000 00	
For expenses of intercourse with foreign nations, in virtue of the act of July 1, 1790, further continued by this act	40,000 00	
March 21, for Military Establishment	1,629,936 01	
March 27, for the pay and emoluments of Major General Lafayette	24,424 00	
April 2, for erecting and repairing Arsenals	421,865 00	
April 3, for placing buoys off the harbor of New London	2,500 00	
May 19, for erecting a light-house on the island of Seguin	5,300 00	
June 5, for certain expenses of Commissioners of Loans	15,000 00	
June 9, for various purposes	1,292,137 38	
		\$1,152,609 63
August 4, 1790, interest on the Domestic and Assumed Debts for the year 1794, including an estimate for outstanding balances not entitled to a dividend	2,480,328 78	
Interest on Foreign Debt, for 1794, as estimated	683,733 50	
		3,164,062 28
Interest on temporary Domestic Loans for the year 1794, payable out of the revenue, viz.: on sums remaining due at different periods—of 400,000 dollars received on account of the Loan of 523,500 dollars, authorized by the act of May 2, 1792—		
On 400,000 dollars to June 30, 1794	\$20,000 00	
On 300,000 dollars from July 1 to December 31	7,500 00	
		27,500 00
On sums remaining due at different periods:		
Of 800,000 dollars received on the Loan of that amount, authorized by the act of February 28, 1793, on 800,000 dollars to December 31, 1793	18,333 33	
On 400,000 dollars from January 1 to January 31, 1794; on 200,000 dollars from February 1 to June 13, 1794, when the Loan was discharged	5,361 11	
		23,694 44
On sums due at different periods of the Loan of 1,000,000 dollars, authorized by the act of March 27, 1794:		
On 800,000 dollars to June 30, 1794	7,500 00	
On 1,000,000 dollars from July 1 to October 1	12,500 00	
On 600,000 dollars from October 1 to December 31	7,500 00	
		27,500 00
On the Loan of 2,000,000 dollars for stock of the Bank of the United States, which, by the act of June 4, 1794, is payable out of the dividends credited as revenue, and contra, computed to June 30, 1794, the time of the last dividend		247,972 00
On 1,000,000 dollars received on a Loan of that amount, authorized by the act of June 9, 1794, on 200,000 dollars from September 1 to September 30, 1794	\$833 33	
On 100,000 dollars from October 1 to December 31	12,500 00	
		13,333 33
Estimate to cover the interest which may accrue in the year 1794, in case the sum of 1,000,000 dollars should be borrowed for the expenses of intercourse with foreign nations, under the authority given by the act of March 20, 1794, for that purpose, which interest is charged upon the domestic revenue by the act of June 9, 1794, say	20,000 00	
		359,999 77
		7,676,672 68
Balance, being estimated surplus of revenue to the close of the year 1794, above the appropriations charged thereon		812,425 38
		<u>\$8,519,098 06</u>

## ESTIMATED REVENUE OF THE YEAR 1794.

Balance stated on December 31, 1793, as surplus of revenue beyond the appropriations charged at the Treasury, to said period	\$2,487,181 07
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*Public Debt.*

Proceeds of duties on imports and tonnage during the year 1794, exclusive of drawbacks paid, and payable, therefrom	-	-	-	5,250,000	00
Proceeds of duties on distilled spirits, on snuff, sugar, carriages, goods sold at auction, licenses, estimated at	-	-	-	450,000	00
Receipts to September 30, 1794, viz:					
On account of balances arising on accounts under the late Government			\$693	50	
Postage	-	-	-	18,978	49
Cents and half cents	-	-	-	8,383	00
Patents	-	-	-	390	00
Dividends on Bank stock of the United States to June 30, 1794	-	-	303,472	00	
				831,916	99
				<u>\$8,519,098</u>	<u>06</u>

## B.

## ESTIMATED CHARGES UPON THE REVENUE FOR THE YEAR 1795.

Appropriations for the service of the year 1795, made and to be made, viz:					
By the act of March 20, 1794, for expenses of intercourse with foreign nations, in virtue of the act of July 1, 1790, further continued by this act	-	-	-	\$40,000	00
For the Civil Lists, as stated by the Register of the Treasury	-	-	-	485,249	53
For miscellaneous purposes, ditto	-	-	-	82,004	18
For expenses of Commissioners of Loans, for clerk hire and stationery, in case the same shall be authorized by law	-	-	-	15,000	00
For interest on the Domestic and Assumed Debts, and on credits to several States	-	-	-	2,395,741	74
For interest on the Foreign Debt during the year 1795	-	-	-	702,861	00
For interest on temporary Domestic Loans during the year 1795, estimated at 2,000,000, at five per cent. per annum	-	-	-	100,000	00
For the Military Establishment during the year 1795, including six months' pay and subsistence of the Navy, and expenses of the militia expedition in 1794	-	-	-	2,940,655	74
				6,661,512	14
Balance, being estimated surplus of revenue to the close of the year 1795	-	-	-	510,918	24
				<u>\$7,172,425</u>	<u>88</u>

NOTE.--The surplusses of certain appropriations, after satisfying the objects for which they were made, may be considered as an additional fund. The amount cannot be ascertained at present, but may be safely calculated at two hundred thousand dollars.

## ESTIMATED REVENUE OF THE YEAR 1795.

Estimated surplus of revenue at the close of the year 1794, above the appropriations charged thereon	-	-	-	\$842,425	88
Estimated product of the duties on imports and tonnage for the year 1795, on a supposition that the additional duties imposed during the last session of Congress will produce 500,000 dollars	-	-	-	5,500,000	00
Estimated product of inland duties for the year 1795, on distilled spirits, and on stills, which, considering the impediments attending the importation of molasses and coarse sugars, and the high price of grain at present, are calculated at	-	-	\$400,000	00	
On carriages	-	-	-	150,000	00
On sales at auction	-	-	-	40,000	00
On refined sugars and snuff	-	-	-	90,000	00
On licenses for retailing foreign spirits and wines	-	-	-	100,000	00
				780,000	00
Estimated surplus of the Bank dividend, on stock held by the United States, above the sum which will be due for interest on the Loan for said stock	-	-	-	50,000	00
				<u>\$7,172,425</u>	<u>88</u>

*Public Credit.*

## PUBLIC CREDIT.

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TREASURY DEPARTMENT, *January 16, 1795*

SIR: I beg leave, through you, to inform the Senate, that, pursuant to the 2d section of the act establishing the Treasury Department, which expressly makes it the duty of the Secretary of the Treasury "to digest and prepare plans for the improvement and management of the revenue and for the support of Public Credit," I have digested and prepared a plan, on the basis of the actual revenues, for the further support of Public Credit, which is ready for communication to the Senate.

This plan embraces a further provision for the Subscribed Debt; a provision for converting, with the consent of the creditors, the Foreign into the Domestic Debt; a provision for augmenting the Sinking Fund, so as to render it commensurate with the entire Debt of the United States; suggestions for giving effect to the act of the last session, granting a million of dollars for the purposes of foreign intercourse; with some auxiliary propositions.

With perfect respect, I have the honor to be, sir, your obedient servant,

ALEXANDER HAMILTON,

*Secretary of the Treasury.*

To the VICE PRESIDENT of the United States  
and President of the Senate.

TREASURY DEPARTMENT, *January 20, 1795.*

SIR: Agreeably to the order of the Senate, I have the honor to transmit the plan for the support of Public Credit, announced in my Letter of the 16th instant, together with sundry statements connected with it; and to be your most obedient servant,

A. HAMILTON.

To the VICE PRESIDENT of the United States  
and President of the Senate.

The Secretary of the Treasury respectfully makes the following Report to the Senate:

The President of the United States, with that provident concern for the public welfare which characterizes all his conduct, was pleased, in his Speech to the two Houses of Congress, at the opening of the present session, to invite their attention to the adoption of a definitive plan for the redemption of the Public Debt, and to the consummation of whatsoever may remain unfinished of our system of Public Credit, in order to place that Credit, as far as may be practicable, on grounds which cannot be disturbed, and to prevent that progressive accumulation of Debt, which must ultimately endanger all Government.

It was, at the same time, very justly intimated, that the period which has elapsed since the commencement of our fiscal measures, (now more than four years,) has so far developed our resources, as to open the way to the important work. And it is matter of solid consolation that the result, presenting a state of our finances, prosperous beyond expectation, solicits the public councils to enter, with zeal and decision, upon mea-

sures commensurate with the greatness of the interests to be promoted.

Under the influence of this conviction, in conformity with the suggestions of the President, and pursuant to the duty which the constitution of the Department, as by law established, enjoins upon the Secretary of the Treasury, he has employed himself in digesting and preparing the materials of a plan for the attainment of the invaluable ends which are recommended. And he now respectfully submits them to the consideration of Congress.

Towards a clear and distinct conception of the means necessary to the accomplishment of these ends, it will be useful, in the first place, to review what has been heretofore done. This will be presented under three heads;

I. The revenues which have been established;

II. The provisions for funding the Debt, and for the payment of interest upon it;

III. The provisions for reimbursing and extinguishing the Debt.

I. The revenues which have been established appear in the following acts:

1st. "An act for laying a duty on goods, wares, and merchandises, imported into the United States," passed June the 1st, 1789. This act, as its title imports, lays various specific and ad valorem rates on all articles (with exception of a few useful to agriculture and manufactures) imported from foreign countries. The lowest ad valorem rate is 5 per cent., with a discount of 10 per cent. in favor of our own bottoms. The duration assigned these duties was the end of the session of Congress next succeeding the 1st day of June, 1796.

2d. "An act imposing duties on tonnage," passed July 20, 1789.

This act lays various rates of duty on the tonnage of ships and vessels entered in the United States from foreign countries, and, in certain cases, in one part of the United States to another.

Its duration was indefinite, no limit having been assigned.

3d. "An act imposing duties on the tonnage of ships and vessels," passed July 20, 1790.

This act is a substitute for the one last mentioned, preserving the same rates of duty, but applying them, in some instances differently. It is, like the former, of indefinite duration.

4th. "An act making further provision for the payment of the Debts of the United States," passed August 10, 1790.

This act repeals, after the last of December, 1790, the duties on imported articles, laid by the act above cited, and substitutes new and generally increased rates, specific and ad valorem.

The lowest ad valorem rate in this, as in the former act, is five per cent.; but the number of articles to which it applies is much narrowed; and, instead of a discount in favor of our own bottoms, an addition of 10 per cent. is made to the disadvantage of foreign bottoms.

The number of free articles is somewhat extended, in further encouragement of agriculture and manufactures.

It is declared that the duties laid by this act shall continue till the Debts and purposes for which they are appropriated shall be satisfied; reserving, however, a right to Congress to substitute other duties or taxes of equal value.

5th. "An act to incorporate the subscribers to the Bank of the United States," passed the 25th of February, 1791.

The second section of this act authorizes the President to cause a subscription to be made to the stock of the Bank, on account of the United States, to the amount of \$2,000,000; and, with a view to the accomplishment of that object, to borrow of the Bank \$2,000,000, to be reimbursed in ten equal yearly instalments.

The difference between the interest payable on the Loan and the dividend on the stock, constitutes an item of annual income to the United States. It is unappropriated.

6th. "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead; and, also, upon spirits distilled within the United States, and for appropriating the same," passed the 3d of March, 1791.

This act, in conformity with its title, repeals, after June, 1791, the duties on imported spirits, laid by the act of the 10th of August, 1790, and establishes, in lieu of them, higher rates, namely, from 20 to 40 cents per gallon, according to proof. It also lays duties, to commence at the same time, upon spirits distilled within the United States; namely, on those from foreign materials from 11 to 30 cents, according to proof; on those from domestic materials, if distilled in cities, towns, or villages, from 9 to 25 cents per gallon, according to proof; if distilled in other places, it imposes a yearly rate of 60 cents per gallon of the capacity of each still, with an option to the distiller to keep and render an account of the produce of his still, and to pay 9 cents per gallon of the quantity of spirits distilled therein.

These duties are appropriated, primarily, in the same manner and to the same purposes as those laid on imported articles by the act of the 10th of August, 1790, and are to continue for the same time, with the like reservation of a right to substitute other duties or taxes of equal value. There is a further appropriation, which will be noticed hereafter.

7th. "An act for raising a further sum of money for the protection of the frontiers, and for other purposes therein mentioned," passed May 2, 1792.

This act repeals, after June, 1792, the former duties on a number of imported articles, and establishes higher duties in their stead.

It extends, among other things, the duties on foreign distilled spirits, laying on those made from grain 28 to 50 cents per gallon; on others 25 to 46 cents per gallon. The appropriation and duration of these new duties are conformable and co-extensive with those repealed. There is, likewise, an addition of 2½ per cent. to that class of duties *ad valorem*, which before was rated at 5 per cent., but this additional duty is limited to the term of two years.

Out of the surplus of these duties, after satisfying the permanent appropriations, certain gross sums are appropriated for the service of the War Department.

8th. "An act concerning the duties on spirits distilled within the United States," passed May 8, 1792.

This act repeals, after the last day of June, 1792, the former duties on spirits distilled within the United States and on stills, and, instead of them, establishes lower duties, namely, on those made of foreign materials, from 10 to 25 cents per gallon, according to proof; on those made of domestic materials, if in cities, towns, or villages, or at distilleries, where the stills, singly or together, are of the capacity of 400 gallons or upwards, from 7 to 18 cents per gallon of the spirits distilled, according to the proof; if made in other places, or at distilleries where the stills are of inferior capacity, the yearly rate of 54 cents per gallon of the capacity of each still. A new option is given to the distiller, which is, instead of paying the yearly rate, to take out licenses for the monthly employment of his stills, paying each time 10 cents per gallon of the capacity of each still.

These new duties are appropriated in the same manner, and for the same purposes, and are to continue for the same time, as those for which they are substitutes; and, to make good any deficiency which may accrue from lowering the rates, the surplus of the duties imposed by the act of the 2d of the same month is appropriated.

"An act to promote the progress of Useful Arts, and to repeal the act heretofore made for that purpose," passed February 21, 1793.

This act ordains certain fees to be paid by persons to whom patents are granted for inventions, discoveries, or improvements, and appropriates them to the purpose of defraying clerk-hire in the Department of State. Its duration is indefinite.

9th. "An act to establish the Post Office and Post Roads within the United States," passed May 8, 1794.

This act establishes, to commence on the 1st of June following, various rates of postage on letters, and directs that the Postmaster shall render to the Treasury Department a quarterly account of receipts and expenditures, and shall pay, quarterly, into the Treasury, the balance in his hands.

The duration of this act is also indefinite. It contains no appropriation of the sums paid into the Treasury.

10th. "An act laying duties upon carriages for the conveyance of persons," passed June 5, 1794.

This act lays different rates of duty, from \$10 down to \$1, upon carriages for the conveyance of persons, kept by or for any person, for his or her own use, or to be let to hire, or for the conveying of passengers; and, to guard against misapprehension, declares, that the duties shall not be construed to extend to any carriage usually and chiefly employed in husbandry, or for the transporting or carrying of goods, wares, merchandise, produce, or commodities.

*Public Credit.*

The duration of the duties is limited to the end of the session of Congress which shall be next after the term of two years from the time of passing the act. It contains no appropriation.

11th. "An act laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail," passed June 5, 1794.

This act requires that every retail dealer in wines shall take out a yearly license, and shall pay for it a duty of \$5; and that every retail dealer in foreign distilled spirituous liquors shall also take out a yearly license, and pay for it a duty of \$5. It defines a retail dealer in wines to be a person who deals in the selling of wines, to be carried or sent out of the house, building, or place of his or her dwelling, in less quantities at one time than thirty gallons, except in the original cask, case, box, or package, in which it is imported. A retail dealer of spirituous liquors to be a person who shall deal in the selling of foreign distilled spirituous liquors, to be carried or sent out of the house, building, or place of his or her dwelling, in less quantities than twenty gallons at one time. No difference is made between the dealer in several kinds of wines, or several kinds of foreign distilled liquors, and the dealer in one kind.

The same duration is assigned to this act as to the one last cited. It is equally without an appropriation.

12th. "An act laying certain duties upon snuff and refined sugar," passed June 5, 1794.

This act lays a duty of 8 cents per pound on all snuff, which, after the 30th of September, 1794, should be manufactured within the United States, and of 2 cents per pound on all sugar which, after that day, should be refined within the United States. The remark made upon the two last recited acts is applicable to this, as to the duration of the duties, and the appropriation of their proceeds.

13th. "An act laying additional duties on goods, wares, and merchandises, imported into the United States," passed June 7, 1794.

This act lays upon sundry enumerated articles, on their importation from foreign countries, certain specific and ad valorem rates of duty, in addition to those before charged upon them, and adds generally a duty of two and a half per centum on all that class of articles which were before chargeable with seven and a half per centum ad valorem. It also prolongs the temporary two and a half per centum, laid by the act of May 2, 1792, till the 1st of January, 1797, to which period the other duties laid by it are to continue. It contains no appropriation.

14. "An act laying duties on property sold at auction," passed June 9, 1794.

This act lays a duty on sales at auction, by persons licensed according to the laws of a State or this act, prohibiting others from selling at auction, of one quarter per cent. of the purchase money arising from the sale of any right, interest, or estate, in lands, tenements, or hereditaments, utensils in husbandry, farming stock, or ships and vessels, of one half per cent. of the purchase money

arising from the sales of any other goods, chattels, rights, or credits.

The term of these duties is limited to the end of the session next after the expiration of two years from the time of passing the act, which also is without an appropriation.

But by an act, entitled "An act making appropriations for certain purposes therein expressed," passed the same 9th of June, 1794, certain specific sums, amounting together to \$1,292,137 38, are charged upon the proceeds of the revenues which are created by the five last mentioned acts, and there is a reservation made out of them of a sum sufficient to pay the interest of whatever moneys may be borrowed pursuant to the act, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations," &c., passed the 20th of March, 1794, which sum is pledged for the payment of that interest.

These acts comprehend all the current revenues of the United States. Their product will appear hereafter.

In addition to them a fund will be derived from the sale of the public lands in the Western Territory. And there likewise occur, from time to time, payments into the Treasury on account of old debts; but these are too casual and of too little magnitude to be more than cursorily mentioned.

The lands in the Western Territory, of which the Government of the United States has acquired the right of soil, are estimated, in a report of the late Secretary of State, to amount to 21,000,000 of acres. This quantity, at 20 cents per acre, the price upon former occasions contemplated, would yield a sum of \$4,200,000. But it is believed that it would be unsafe to count upon so large a sum. Besides, the uncertainty as to the proportion which may be of a saleable quality, and as to the price which may be obtained for it, the boundary line between the United States and the Indians is understood to be unsettled with regard to a large part of the tract on which the computation is made. If it ultimately yields \$3,000,000, it will probably equal every reasonable expectation.

II. The provisions for funding the Debt, and for payment of interest upon it, are comprised in the following acts:

1st. "An act making provision for the Debt of the United States," passed August 4, 1790.

This act, commonly called the Funding Act, contains these several provisions, viz:

1. It reserves out of the proceeds of the duties on imports and tonnage, for the support of the Government of the United States, and their common defence, the yearly sum of \$600,000.

2. It appropriates so much of the same proceeds as should be necessary to the payment of interest on Foreign Loans, before that time contracted, or which should afterwards be contracted, for discharging the arrears of interest, and the principal of antecedent Foreign Loans, to continue so appropriated till the Debt created by those Loans should be fully discharged.

3. It authorizes the President to borrow any

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sum or sums, not exceeding \$12,000,000, to discharge the arrears of interest upon and the instalments of the principal of the Foreign Debt, due and to grow due; and if to be effected on advantageous terms, to pay off the whole of that Debt; and further authorizes him to make such other contracts respecting it as should be found for the interest of the United States, so that no engagement or contract should preclude from reimbursing the sum borrowed within fifteen years after they should be borrowed.

4. In order to adapt the form of the Domestic Debt to the then circumstances of the United States, as far as should be found practicable, "consistently with good faith and the rights of creditors," which it truly declares, "could only be done by a voluntary Loan on their part," it proposes a Loan to the United States, (directing, for that purpose, books for subscriptions to be opened at the Treasury, and by Commissioners of Loans in the several States, on the 1st of October, 1790, and to continue for a year,) the sums subscribed to the Loan to be paid in certain enumerated evidences of the Debt of the United States, upon these terms, viz:

*First.* That the interest unpaid on the principal of these evidences should be computed up to the last of December, 1790.

*Second.* That, for any sum subscribed and paid in the principal of the Debt, the subscriber should be entitled to one certificate for a sum equal to two-thirds of the sum subscribed, bearing an interest of 6 per cent. per annum, commencing the 1st day of January, 1791, payable quarter-yearly, and subject to redemption by payments not exceeding, in one year, on account of both principal and interest, \$8 upon a hundred of the original sum so subscribed and paid; and to another certificate for a sum equal to the remaining third of that sum, which, after the year 1800, should bear a like interest, payable in like manner, and subject to a like rate of redemption; but that the United States, though having a right to redeem in the above mentioned proportion, should not be obliged to do it.

*Third.* That for any sum subscribed and paid in the interest of the Debt, the subscriber should be entitled to a certificate for a sum equal to the sum subscribed, bearing an interest of 3 per cent. per annum, from the said last day of December, 1790, payable quarter-yearly, and redeemable at pleasure, by payment of the principal.

*Fourth.* That the new stock created by the said Loan should be transferable on the books upon which the credit for it should stand by the proprietor or his attorney; these books to be either those kept for the purpose at the Treasury, or by the Commissioners of Loans in the respective States; a mode being provided for the transfer from the books at one place to those at another.

*Fifth.* That the interest should be payable wheresoever the credit for the stock should exist, when the payment of the interest should become due; except that the dividend of interest for any quarter of a year which should not be demanded before the expiration of a third quarter, should

afterwards be demandable only at the Treasury.

*Sixth.* That, for the regular payment of the interest on the several kinds of stock to arise from the Loan, as it should accrue, including that which is deferred, the proceeds of the public revenues, which, before that time, had been, or, during the then session, should be provided, after reserving, yearly, \$600,000, for the support of the Government of the United States, and their common defence, and such sum as should be necessary for payment of interest on the Foreign Loans before mentioned should be, and thereby were, pledged and appropriated till the final redemption of the capital stock.

5. Premising that some of the creditors of the United States might not think fit to become subscribers to the Loan, this act declares that "nothing contained in it should be construed in any wise to alter, abridge, or impair the rights of those creditors of the United States who should not subscribe to the Loan or the contracts upon which their respective claims are founded, but that the said contracts and rights should remain in full force and virtue." And to obviate all idea of compulsion on the creditors to subscribe, it allows to non-subscribers, during the pendency of the Loan, and until the end of the year 1791, a rate per centum, on their respective demands, equal to that which is paid to subscribing creditors; on the sole condition, that the evidences of Debt holden by them, except those which had been issued by the Register of the Treasury, for the registered Debt, should be exchanged for other certificates, specifying the specie amount of those in exchange, for which they were given, and otherwise of the like tenor with those which had therefore been issued by the Register of the Treasury, for the registered Debt; stating, as the grounds of this condition, that some of the certificates then in circulation, had not been liquidated to specie value; that most of them were greatly subject to counterfeit; that counterfeits had actually taken place in numerous instances; and that embarrassment and imposition might attend the payment of interest on these certificates in their then form.

6. This act likewise proposes another Loan, to the amount of \$21,500,000, payable in the principal and interest, indiscriminately, of the evidences of Debt of the respective States, according to certain quotas, to be conducted in the same manner, and to be open for the same time, as that in the Domestic Debt of the United States. The terms of this Loan to be:

*First.*—That, for any sum subscribed, the subscriber should be entitled to one certificate, for a sum equal to four-ninths of the subscribed sum, bearing an interest of six per centum per annum, commencing the 1st day of January, 1791. To another certificate, for a sum equal to two-ninths of the said subscribed sum, bearing an interest, after the year 1800, of six per centum per annum; and, to a third certificate, for a sum equal to three-ninths of the said subscribed sum, bearing an interest of three per centum per annum, commencing on the same first day of January, 1791: the inte-

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rest, in each case, to be payable in like manner, and to be subject to the like redemption as that on the correspondent kinds of stock to be created by this, the said first-mentioned Loan. And the stock to be created by this second Loan, to be transferable on the same principles, and in the same modes, as that produced by the former.

*Second.*—That, for the regular payment of interest on the several kinds of stock to arise from this Loan, as it should accrue, including that which is deferred, the proceeds of the public revenues, which, before that time, had been, or during the then session should be, provided, after reserving the aforesaid yearly sum of \$600,000 the sum necessary for payment of interest on the Foreign Loans made, and to be made, and the sum necessary for payment of interest on the Loan in the Domestic Debt, should be, and thereby were, pledged and appropriated; to continue so pledged and appropriated until the final redemption of the capital stock.

7. To secure the due application of these revenues, according to the appropriations, an account of them is directed to be kept, distinct from that of the proceeds of any other revenues, except such as should be raised to make good a deficiency in those; and the faith of the United States is pledged to appropriate additional and permanent funds, for satisfying such deficiency.

8. The proceeds of the sales of lands in the Western Territory, then belonging, or which thereafter should belong, to the United States, are pledged and appropriated for the discharge of the Debts which the United States then owed, or by virtue of that act should owe.

There are several collateral and supplementary provisions, which are omitted, as immaterial to the intended view of the subject.

2d. "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits, &c.," passed the 3d of March, 1791.

The proceeds of the duties, laid by this act, are made subject to the same appropriations, and in the same order of priority, as those contained in the Funding Act; and, to secure their due application, an account is directed to be kept of them, distinct from that of any other revenues, except those appropriated by the Funding Act.

3d. "An act for raising a further sum of money for the protection of the frontiers, &c.," passed May 2, 1792.

This act, which, as has been before noticed, increased permanently the duties on certain imported articles, and laid a temporary additional duty on some others, appropriates, primarily, the proceeds of the permanent augmentations, in the same manner, and to the same purposes, as the antecedent duties were appropriated; that is, in conformity with the Funding Act.

4th. "An act concerning the duties on spirits distilled within the United States," passed May 8, 1792.

This act, which lowers the duties on spirits distilled within the United States, and on stills, appropriates the proceeds of the reduced duties in the same manner as were the former duties; and,

to make good whatever deficiency might be occasioned by the reduction of the rates, pledges, as a substitute, the surplus of the augmented duties laid by the last cited act.

5th. "An act providing for the payment of the second instalment due on a Loan made of the Bank of the United States," passed June 4, 1794.

This act, in addition to a provision for paying that second instalment, appropriates so much of the dividends on the stock which the United States hold in the Bank, as should be necessary to the payment of interest on the capital of a Loan of \$2,000,000, had of the Bank, pursuant to the 11th section of the act by which it is incorporated. It also fixes the last day of December, in each year, as the annual period for the payment of the successive instalments of that Loan.

6th. "An act making provision for the payment of the interest on the balances due to certain States, upon a final settlement of accounts between the United States and the individual States," passed May 30, 1794.

This act directs that interest shall be allowed and computed on the balances to creditor States, from the last of December, 1789, to the last of December, 1794; which, being placed to their credit respectively, shall bear an interest of three per centum per annum, from the period last mentioned.

It further directs that the interests on the principal balances, to be funded agreeably to the terms of the act for the settlement of accounts, together with the interest upon the arrears of interest, computed on those balances, and forming a new capital, shall be payable at the offices of the Commissioners of Loans, within the States to which the balances are respectively due, and shall be paid quarter yearly after the last day of December, 1794, at the same epochs in each year, at which interest is payable, on the other parts of the Funded Debt: to which end, so much of the proceeds of the duties on imports and tonnage, as may be necessary, and as were not otherwise previously appropriated, are appropriated; and the faith of the United States is pledged to provide for any deficiency which may happen by additional and permanent funds.

There are several acts which prolong, from time to time, the subscriptions in the Domestic and State Debts, on the same terms as by the Funding Act, those in the Domestic Debt being continued down to the last day of December, 1794; which acts, together with the acts particularly cited, comprise all those that relate to the funding of the Public Debt, and the payment of interest thereupon. The result of these acts is exhibited in the tables A, B, C, and D, which show the amount of the Foreign Debt; that of the Funded Debt, the probable amount of that which remains unfunded, of what composed, and the annual amount of interest upon the different portions of Debt, according to contract, and according to the plan of this report.

III. The provisions for reimbursing and redeeming the Public Debt, are contained in the following acts, and are as follows, viz:

1st. "An act making provision for the Debt of



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the United States," passed the 4th of August, 1790.

This act, which is the one that regulates the funding of the Debt, by the last section appropriates the proceeds of the sales of the lands in the Western Territory, then belonging, or thereafter to belong, to the United States, to the sinking or discharging of the Debts for which the United States then were, or by virtue of that act should be, holden, to be applied solely to that use, until they should be fully satisfied.

2d. "An act making provision for the reduction of the Public Debt," passed August 12, 1790.

This act, premising that it is desirable, by all just and proper means, to effect a reduction of the Public Debt, and that the application of the surplus revenue to that object, will not only contribute to this desirable end, but will be beneficial to the creditors of the United States, by raising the price of their stock, and be productive of considerable saving to the United States, enacts—

1. That the surplus of the duties on imports and tonnage, to the end of the year 1790, shall be applied to the purchase of the Debt of the United States, at its market price, if not exceeding the par or true value thereof.

2. That the purchases to be made shall be conducted under the direction of the President of the Senate, the Chief Justice, the Secretary of State, the Secretary of the Treasury, and the Attorney General, who, or any three of whom, with the approbation of the President, are authorized to cause them to be made, in such manner, and under such regulations, as shall appear to them best calculated to fulfil the intent of this act: *Provided*, That the same should be made openly, and with due regard to the equal benefit of the several States.

3. That the accounts of the application of the Fund should be settled as other public accounts, accompanied with returns of the amount of Debt, purchased at the end of each quarter of a year; and that a full and exact report of the proceedings of the Commissioners should be laid before Congress, within the first fourteen days of each session, including a statement of the disbursements and purchases, specifying the times when, prices at which, and persons of whom, the purchases were made.

4. That, in addition to this fund, the President should be authorized to borrow any sum or sums, not exceeding \$2,000,000, at an interest not exceeding five per centum, to be applied to purchases of Public Debt, in like manner, and under the same direction and regulations as the first mentioned fund: *Provided*, That, out of the interest of the Debt to be purchased, there should be appropriated, annually, a sum not exceeding eight per centum of the sums borrowed, towards paying the interest and reimbursing the principal of these sums.

But, to guard against the possibility of a deficiency of means to pay the interest on the Debt which was to accrue in the year 1791, authority is given to reserve and apply to that purpose, out of the first mentioned fund, as much as might be

necessary to supply the defect of receipts, during that year, on account of the duties which should accrue after the year 1790.

3d. "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits, &c.," passed the 3d of March, 1791.

This act appropriates whatever surplus may remain, from year to year, of the proceeds of the duties which it imposes, after satisfying prior appropriations, to the reduction of the Public Debt, unless such surplus shall be required for the current public exigencies, and, by special acts of Congress, shall be appropriated thereto.

4th. "An act supplementary to the act making provision for the reduction of the Public Debt," passed the 3d day of March, 1791.

This act declares that the terms of a Loan of three millions of florins, obtained in Holland, bearing five per cent. interest, and four and a half per cent. for charges, and future Loans on the same terms, should be deemed to be within the meaning of the act of the 12th of August, 1790.

5th. "An act supplementary to the act making provision for the Debt of the United States," passed May 8, 1792.

This act makes provision for the payment of a debt due to certain foreign officers who had served the United States, (the interest of which was, by stipulation, payable at Paris,) out of the moneys authorized to be borrowed by the Funding Act. It also establishes a permanent Sinking Fund, to be composed—

1. Of the interest of the Public Debt purchased, redeemed, or paid into the Treasury, in satisfaction of any debt or demand.

2. Of the surplus, if any, which should remain of moneys appropriated for paying the interest of the Public Debt, after paying that interest.

This Fund is to be applied, under the direction of the Commissioners nominated in the act of the 12th of August, with the like approbation of the President—

*First.*—To the purchase of the several species of stock constituting the Debt of the United States, at their respective market prices, not exceeding the par or true value thereof, and, as nearly as may be, in equal proportions, until the annual amount of the fund shall be equal to two per centum of the whole amount of the outstanding Funded Stock, bearing a present interest of six per centum: *Thenceforth*—

*Second.*—To the redemption of that stock, according to the right reserved to the United States, until the whole should be redeemed: and, lastly, after such redemption, to the purchase, at its market price, of any unredeemed Debt of the United States; which purchases are directed to be made at the lowest prices at which they can be effected by open purchases, or by receiving sealed proposals, to be opened in the presence of the Commissioners, or persons authorized by them to make purchases, and of the persons making the proposals; and are to be accounted for at the Treasury, and reported to Congress, in the same manner as the purchases before authorized to be made.

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6th. "An act making appropriations for the support of Government, for the year 1793."

This act provides that the President of the United States shall cause so much of the Loan made of the Bank of the United States, pursuant to the 11th section of the act of incorporation, to be paid off, in sums not less than \$50,000, as, in his opinion, the state of the Treasury may, from time to time, admit, out of any moneys which may be in the Treasury, having due regard to the exigencies of the Government, and the appropriations made, and to be made, by law.

7th. "An act making provision for the payment of the first instalment due on a Loan made of the Bank of the United States," passed March 2d, 1793.

This act authorizes the payment of the first instalment of a Loan of two millions of dollars, had of the Bank of the United States, pursuant to the 11th section of the act by which it is incorporated, out of the moneys borrowed upon the authority of the act making provision for the reduction of the Public Debt.

8th. "An act providing for the payment of the second instalment, due on a Loan made of the Bank of the United States," passed June 4, 1794.

This act authorizes the payment of that second instalment, out of the proceeds of any Foreign Loans before that time transferred to the United States. It makes other provisions, which have been noticed under a preceding head.

These acts comprise all the provisions which have been made for reimbursing and redeeming the Debt of the United States. The result, to the last of December, 1794, is presented in the statement E.

There are two other acts, which, though not falling properly under either of the foregoing heads, require, from their relation to the subject, to be brought into view.

1. An act relative to claims against the United States, not barred by any act of limitation, and which have not been already adjusted, passed February 12, 1793.

This act directs that all claims of the description given in the title shall be presented at the Treasury for adjustment, by the 1st of May, 1794, or shall be for ever after barred; except those for Loan Office certificates, final settlements, indents of interest, Register's certificates, balances on the books of the Treasury, Loans of money in foreign countries, certificates issued under the act, entitled "An act making provision for the Debt of the United States."

Such of the claims presented as cannot be admitted in the course of the Treasury, are to be reported to Congress, by the accounting officers.

Among the claims inadmissible in the ordinary course of the Treasury, is a sum of \$90,574, of the bills of credit, commonly called new emission money.

2. An act making further provision for the expenses attending the intercourse of the United States with foreign nations, &c., passed March 20, 1794.

This act appropriates, in addition to former pro-

visions, one million of dollars for the purposes mentioned in the title, to be paid out of any moneys which may be in the Treasury, not otherwise appropriated, and to be applied under the direction of the President of the United States, who is also authorized, if necessary, to borrow the whole, or any part of the sum; but there is no special appropriation either for paying the interest or reimbursing the principal of the Loan.

The act already quoted, of the 9th of June, 1794, entitled "An act making appropriations for certain purposes therein expressed," with a view to remedy this defect, appropriates, out of the proceeds of the taxes laid during the last session, such sum as shall be sufficient to pay the interest on whatever moneys may be borrowed, pursuant to the act of March 20, 1794.

The foregoing review of the laws which constitute the fiscal system of the United States displays these prominent points as the leading features of that system:

1st. That all the current revenues of the United States are derived from these sources, to wit: imported articles; the tonnage of ships and vessels; spirits distilled within the United States, and stills; the postage of letters; fees on patents; dividends of Bank stock; snuff manufactured within the United States; sugar refined within the United States; sales at auction; licenses to retail wines and distilled spirits; carriages for the conveyance of persons.

2d. That, of these revenues, the principal part of the duties on imported articles, those on the tonnage of ships and vessels, those on distilled spirits and stills, those on the postage of letters, patent fees, the dividends on Bank stock, are permanent, (the three first being commensurate with the existence of the Debt for the payment of the interest of which they are pledged, the fourth and fifth having no limit assigned in the laws, and the last being commensurate with the duration of the property in the stock,) all the others temporary; being limited to continue no longer than till the end of the session of Congress next after the expiration of two years from the respective times of passing the laws which established them, except the temporary duties on imports and tonnage, which are to continue till the 1st of January, 1797.

3d. That the permanent duties on imported articles, the tonnage duties, the duties on spirits distilled within the United States, and on stills, are subject to these permanent dispositions:

1. To an annual reservation of \$600,000, for the support of the Government of the United States and their common defence.

2. To an appropriation of so much as may be necessary to pay the interest on the Foreign Loans provided for by the Funding Act.

3. To an appropriation of so much as may be necessary to pay the interest on the stock created by the Loan in Domestic Debt, or, more properly, in the original Debt of the United States.

4. To an appropriation of so much as may be necessary to discharge the interest on the stock created by the Loan in the debts of the respective States.

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5. To an appropriation of so much as may be necessary to pay the interest on the balances due to creditor States, which dispositions establish priorities, according to the order in which they are here enumerated.

4th. That the surplus, if any, of the duties on spirits distilled within the United States, and on stills, has an ultimate appropriation, that is, to the reduction of the Public Debt; but that the surplusses of the other duties have no such ultimate appropriation.

5th. That the duties on the postage of letters and the net dividend on Bank stock have no permanent or particular appropriation.

6th. That the temporary duties are charged with a specific sum of \$1,292,137 38, and with the payment of interest on a sum of \$1,000,000, authorized to be borrowed for the expenses of foreign intercourse.

7th. That the whole of the Foreign Debt, and all that part of the Domestic Debt, being now nearly the whole, which consists of the stock created by the Loans in the original Debt of the United States, and in the particular debts of the several States, and by the balances due to creditor States, are bottomed on certain specified revenues, pledged or hypothecated for the payment of the interest upon them, and thus constitute the Funded Debt of the United States.

8th. That the Funded Domestic Debt of the United States consists of three species of stock—one bearing a present interest of six per cent. per annum; another bearing a like interest after the year 1800; a third bearing a present interest of three per cent. per annum—the interest in each case payable quarter yearly.

9th. That the six per cent. stock, present and deferred, can be redeemed in no greater proportion than at the rate of eight per centum per annum of the original sum, on account both of principal and interest; but the three per cent. stock is redeemable at pleasure.

10. That the provision for subscribing to the Loan in Domestic Debt expired on the last of December, 1794, and that no further provision has been made for the unsubscribed residue.

11th That the Funding Act expressly confirms the contracts and rights of the creditors of the United States, who shall not think fit to subscribe to the Loan, and gives an expectation to them of further and other arrangements, upon the event of the propositions made to them.

12th. That the proceeds of all the lands of the United States in the Western Territory are appropriated to the redemption of all that part of the Public Debt for which, prior to the Funding Act, or by virtue thereof, the United States were or are liable.

13th. That, in addition to this, a regular Sinking Fund has been successively constituted, to be applied under the direction of five principal officers of the United States, with the approbation of the President, hitherto composed of three parts—1st, the surplus of the duties on imports and tonnage to the end of 1790; 2dly, the proceeds of Loans not exceeding \$2,000,000, authorized to be

borrowed for the purpose, (these two funds to be invested in purchases;) and, 3dly, (in which the two former resolve themselves,) the interest on the Public Debt, purchased, redeemed, or paid into the Treasury, together with the surplusses, if any, of moneys appropriated for interest, to be applied first to purchases of the Debt, till the fund is equal to two per centum of the outstanding stock, bearing a present interest of six per cent.; second, to the redemption of that stock; and, lastly, to purchases of any unredeemed residue of the Public Debt. But there is reserved out of this fund a sum not exceeding eight per centum per annum towards the payment of interest and reimbursing of the principal of the Loans made for purchases of the Debt.

To this recapitulation of the leading features of our Fiscal System, it may be useful to add a summary exhibition of certain results, which appear more in detail, or are deducible from the tables or statements annexed to this report.

The particulars and amount of the Debt of the United States are as follows:

Foreign Debt, as per statements B and C -	\$14,599,129 35
Deduct instalment of Foreign Debt in the year 1795, to be paid out of proceeds of Foreign Loans -	853,750 00
	<hr/> \$13,745,379 35

Funded Domestic Debt, viz:

1. Arising from original Domestic Debt, subscribed to Loan proposed by Funding Act—	
Stock bearing a present interest of six per cent.	17,912,138 01
Stock bearing a future interest of six per cent. -	8,538,228 97
Stock bearing an interest of three per cent. -	12,275,347 55
2. Arising from State Debts assumed—	
Stock bearing a present interest of six per cent.	7,908,374 19
Stock bearing a future interest of six per cent. -	3,940,608 96
Stock bearing an interest of three per cent. -	5,994,115 70
3. Arising from balances to creditor States—	
Stock bearing a present interest of six per cent.	2,345,056 00

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Stock bearing a future interest of six per cent. -	1,172,528 00	
Stock bearing an interest of three per cent. -	703,516 80	60,789,914 18

Unsubscribed Debt, viz:

Principal, exclusive of Loan Office certificates, bearing interest on nominal value -	1,072,583 40	
Interest thereupon, including incidents -	452,826 74	
Principal of Loan Office certificates, bearing interest on nominal sum -	27,935 00	
Interest thereupon -	7,830 00	1,561,175 14

Total unredeemed Debt - \$76,096,468 67

This is exclusive of a sum of \$1,400,000 due to the Bank of the United States, on account of the Loan of \$2,000,000 had of that institution, pursuant to the eleventh section of the act by which it is incorporated, and which is not included in the mass of the Debt, because it is more than counterbalanced by a greater value in stock. It is also exclusive of those Loans which are temporary anticipations of the revenue.

The particulars and amount of the annual current revenues of the United States are as follows:

APPROPRIATED.	PERMANENT.	
Duties on imports and tonnage, domestic	\$4,199,791 67	
Duties on distilled spirits and stills -	400,000 00	
Fees on patents -	660 00	
UNAPPROPRIATED.		
Postage of letters -	29,722 16	
Surplus dividends on Bank stock -	62,500 00	\$4,692,673 83
		TEMPORARY.
Temporary duties on imports -	1,479,626 91	
		INTERNAL.
Duties on snuff, refined sugar, sales at auction, licenses to retail spirits and wines, carriages for conveyance of persons -	380,000 00	1,859,626 91
Total annual current revenue	\$6,552,300 74	

The particulars and amount of the annual stated expenditure of the United States, computing the Army and Navy Establishments on the scale of an Indian and Algerine war, are as follows:

Interest on the Foreign Debt -	\$638,480 58
Interest on Domestic Funded Debt -	2,339,241 50
Interest on Unfunded Debt -	66,081 10
Interest on temporary Loans -	100,000 00
Expenses of the Civil Government, including Foreign Intercourse -	475,249 53
Expenses of Military Land Service -	1,511,975 29
Expenses of Military Naval Service -	441,508 80
Miscellany -	109,357 04

Total annual expenditure \$5,681,843 84

This sum is liable to be increased by the interest which will begin to accrue on the deferred stock the first of January, 1801; being, on the present amount of that stock, \$871,401 92.

The annual force of the Sinking Fund, as depending on ascertained funds, may be stated as follows:

Interest for a year, on sums already carried to its credit -	\$68,225 55
Interest for a year, on debts of foreign officers, in a course of payment, including arrears of interest to be carried to the credit of this fund -	13,139 49
Interest for a year, on the unexpended surplus of the revenues at the end of the year 1790, being \$4,11,659 49, supposing this to be invested, by purchase, in an equal sum of present six per cent. stock,	24,699 56

Total - \$106,364 60

It is further liable to be increased by an investment in purchases of \$865,098 11, which, together with the sums from that source already invested in purchases and payments, will amount to \$2,000,000, the sum authorized to be borrowed for purchases of the Debt.

But, as this auxiliary depends on an operation, not only future, but, in some degree, casual, it cannot be taken into an estimate of the actual strength of the fund.

The proceeds of the sales of Western lands must also be considered as an eventual resource.

There are other contingent sources of augmentation not computed, because they are contingent. But, on the other hand, the fund is liable to be reduced by a sum reserved out of it for the payment of principal and interest of the two millions authorized to be borrowed for purchases, not exceeding eight per centum per annum.

The sum applicable, in the first instance, to the redemption of that portion of the Funded Debt which bears a present interest of six per centum, excluding that standing to the credit of the Commissioners of the Sinking Fund, is as follows:

Of transferable stock - \$516,110 24

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Of untransferable stock, arising from balances to creditor States	-	46,901 12
Total	-	\$563,311 36

The sum applicable, in the first instance, (that is, on the first day of January, 1802,) to the redemption of that portion of the Funded Debt now called deferred stock, excluding that standing to the credit of the Commissioners of the Sinking Fund, will be as follows:

Of transferable stock	-	\$249,576 75
Of untransferable stock, arising from balances to creditor States	-	23,450 56
Total	-	\$273,027 31

These sums would complete the redemption of the whole amount of the stock to which they are applicable, within twenty-three years after the redemption in each case was begun; within which terms they would discharge the whole of the Public Debt, except the Foreign Debt, the unsubscribed Debt, and the three per cent. stock.

If the redemption of the present six per cent. stock commence the first of January, 1796, and the redeeming fund be commensurate with the whole of the unredeemed stock bearing a present interest of six per cent., and transferable, the revenue set free in the year 1818, for operations upon the residue of the Debt, will be \$2,039,394 36.

If the redemption of the Deferred Debt commence the first of January, 1802, when it may rightfully commence, and the redeeming fund be commensurate with the whole of that stock, unredeemed and transferable, the revenue set free in the year 1824, for operations upon the residue of the Public Debt, if any remain, will be \$998,307 02.

The revenue set free by these successive redemptions, would be sufficient to redeem the whole of the present Foreign Debt in six years; that is, within a term of twenty-eight years from the proposed time for commencing the redemption, or the 1st January, 1796; and, after extinguishing the Foreign Debt, would more than discharge the whole of the balances to creditor States, and the whole of the unfunded Debt, in two years more.

If the proceeds of the lands in the Western territory should be equal to three millions of dollars, and the three per cent. stock can be purchased at an average of twelve shillings in the pound, that fund would suffice to pay off the principal of the three per cent. stock, in something more than twenty-five years.

It follows, that, if the force of the Sinking Fund be rendered equal, exclusive of the proceeds of the sales of Western lands, to the redemption of the present unredeemed transferable stock, commencing the 1st of January, 1796, as to that bearing a present interest of 6 per centum, and the 1st of January, 1802, as to that bearing a future interest of 6 per centum; and if the proceeds of the sales of Western lands should prove equal to 3,000,000 of dollars, and can be brought into action for purchasers of the 3 per cent. stock, at the

rate above mentioned, at any time before the year 1801, the whole of the present Debt of the United States, Foreign and Domestic, (the funds appropriated being, during the whole period, adequate, in productiveness, and inviolably applied) would be extinguished in thirty years. And there would then revert to the United States, an annual income of 4,435,320 dollars and 89 cents. Some auxiliary provisions, which will be proposed, may greatly accelerate that result.\*

On the basis of the foregoing data, the Secretary of the Treasury proceeds to submit to the consideration of Congress, certain propositions, which appear to him necessary to be adopted to complete our system of public credit. These will be followed by some explanatory remarks.

## I. PROPOSITION.

That further provision be made, with regard to the yet unsubscribed Debt of the United States, as follows:

1st. Further time to be given, until the end of the year 1795, to subscribe the same to the Loan proposed by the Funding Act; with liberty to the holders to subscribe the arrears of interest up to that period, separately from the principal, reserving that principal on its original footing.

2d. An appropriation to be made for payment of interest on so much of the principal (excepting Loan Office certificates bearing interest on the nominal value) as, at the end of the year 1795, shall remain unsubscribed, for the term of one year, according to the rate or rates stipulated by the original contracts, and for the payment of ten per centum of the arrears of interest thereupon, to the same end of the year 1795. This payment to be made on the 1st of January, 1796, at the Treasury, where no particular place of payment is stipulated, and at such place, where there is one.

3d. The specie principal of the Loan Office certificates, which bear interest on the nominal value, together with the arrears of interest, to be immediately paid off.

## II. PROPOSITION.

That provision be made for taking, upon Loan to the United States, by subscription at the Treasury, the outstanding and unbarred new emission bills of credit, the sums subscribed to be paid in the principal only of those bills, and stock of the new Loan to bear an interest of 5 per cent. per annum, payable, quarter yearly, at the Treasury, and redeemable at the pleasure of the United States, by payment of the principal, with a stipulation to pay the same at the expiration of thirty years. The Loan to be deemed to commence on the first of January, 1796, and to rest on funds permanently pledged, namely, the permanent revenues.

## III. PROPOSITION.

That provision be made for converting, by a new Loan, the whole of our present Foreign, into

\* These results are not stated with fractional correctness, because it is not necessary to a satisfactory conclusion, and the minuteness of the calculation would have demanded more time than can conveniently be spared.

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Domestic Debt, upon these terms, to wit; that, for any sum subscribed to the new Loan, and paid in the principal of the present Foreign Debt of the United States, there be allowed, in addition to the interest now payable upon such principal, the further yearly interest of  $\frac{1}{2}$  per centum, or, in lieu thereof, at the option of each subscriber, an equivalent sum in capital stock, bearing an interest of 5 per centum per annum. That the whole interest upon the new Loan, including that upon the capital stock, to be given as an equivalent for the additional  $\frac{1}{2}$  per cent., shall remain fixed until the first day of January, 1818, at which time, and not sooner, the principal of the said new Loan, including the said capital stock given as an equivalent, may and shall be reimbursed, except as to such subscribers as may prefer a shorter term of reimbursement, who may elect any term not less than fifteen years. That the permanent revenues shall be and remain firmly pledged for the payment of the said interest, until the reimbursement of the said principal, to be paid quarter yearly, as that of the present funded Domestic Debt. And, lastly, that the Commissioners of the Sinking Fund be empowered, with the approbation of the President, to provide by new loans, for the reimbursement of any instalment, or part of principal, of the present Foreign Debt, or of the Loan to be made thereupon, as aforesaid, either by direct borrowing or by sale, in the market, of certificates of stock, so as the said Loan, or the said certificates of stock, shall bear an interest not exceeding 6 per centum per annum, and shall be liable to reimbursement within a term not exceeding twenty-four years. The interest upon the capital reimbursed, and, in aid thereof, the permanent revenues, to be pledged for the interest upon the loans or stock to be made or created by virtue of the said power.

## IV. PROPOSITION.

That the temporary duties on imports be made co-extensive, in duration, with those now permanent, and be appropriated in like manner; and that the reservation of 600,000 dollars, annually, out of the duties on imports and tonnage, for the support of the Government of the United States, and their common defence, be postponed till after the appropriations for the interest of the Funded Debt, foreign and domestic, and for the Sinking Fund.

## V. PROPOSITION.

That the following provisions be added to those heretofore made for reimbursing and redeeming the Debt of the United States:

1st. To direct, by law, that so much of the surplus of the duties on imports and tonnage, to the end of the year 1790, as shall remain uninvested in purchases, on the 1st day of January, 1796, shall so be invested, one-fourth part within the month of April, another fourth part within the month of July, another fourth part within the month of October, in that year, and the remainder within the month of January, 1797.

2d. To exonerate the fund established by the act, entitled "An act supplementary to the act making provision for the Debt of the United States,"

passed the 8th of May, 1792, from the payment of the rate per annum, which, by the 4th section of the act of the 12th of August, 1790, entitled "An act making provision for the reduction of the Public Debt," is reserved, on account of the principal and interest of the moneys authorized, by that act, to be borrowed for the purchases of the Debt; charging the interest of the moneys so borrowed, upon the revenue from imports and tonnage.

3d. To appropriate to the same fund, so much of the revenue from imports and tonnage, as, together with the other moneys now constituting the fund, and which shall accrue to it by virtue of the foregoing provisions, shall be sufficient, from year to year, with the interest redeemed, to pay the sums which may, of right, be annually paid on account of the principal of such funded stock, as, on the 1st day of January, 1796, shall bear a present interest of 6 per centum per annum, excluding that which shall stand to the credit of the Commissioners of the Sinking Fund, and that which shall stand to the credit of particular States, on account of the balances reported in their favor by the Commissioners for settling accounts between the United States and individual States; to continue so appropriated until the whole of the said funded stock shall be redeemed, and, thenceforth, until the whole residue of the present Debt of the United States, foreign and domestic, funded and unfunded, shall be redeemed or discharged.

4th. To appropriate to the same fund, the dividends on the stock of the Bank of the United States, belonging to the United States, reserving, from time to time, so much thereof as may be necessary to pay interest on what shall remain unpaid of the Loan had of the said Bank, pursuant to the second section of the act of incorporation, and, also, so much of the duties on imports and tonnage, as, together with those dividends, (deducting what may be necessary to pay interest) shall be sufficient, from year to year, to pay off the instalments of the said Loan, hereafter to grow due, and as, (the said instalments being paid,) together with any other moneys which, on the 1st day of January, 1802, may belong to the said fund, not otherwise appropriated, shall be sufficient, from year to year, with the interest redeemed, to pay the sums which may, of right, be annually paid on account of the principal of such funded stock, as, at the expiration of the year 1800, shall begin to bear an interest of six per cent. per annum, excluding that which shall stand to the credit of the Commissioners of the Sinking Fund, and that which shall stand to the credit of particular States, on account of the balances reported in their favor, by the Commissioners for settling accounts between the United States and individual States; to continue so appropriated, until, as well the last mentioned stock, as the instalments of the Loan aforesaid, shall be fully redeemed and discharged, and, thenceforth, until the whole residue of the present Debt of the United States, foreign and domestic, funded and unfunded, shall be redeemed and discharged.

5th. To continue the appropriation to the same fund, of the interest of the stock which shall be



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redeemed by virtue of the foregoing provisions, (when the full redemption in each case is completed) until the whole of the present Debt of the United States, foreign and domestic, funded and unfunded, shall be redeemed, by reimbursement, purchase or otherwise.

6th. To provide for carrying to the same fund, agreeably to the appropriation in the Funding Act, the proceeds of the sales of the lands of the United States in the Western Territory, to be applied according to the said appropriation.

7th. To appropriate to the same fund, to be employed for the purposes thereof, all moneys which shall be received for debts due to the United States antecedent to the present Constitution.

8th. To provide that the surplusses of all the current revenues of the United States, which shall remain at the end of any calendar year, beyond the amount of the appropriations charged upon them, and which, during the session of Congress, commencing next thereafter, shall not be otherwise specially appropriated or reserved, shall be carried to the fund aforesaid, to be applied to the purposes thereof.

9th. To provide for paying, annually, out of the said fund, the sum which may be rightfully paid in each year, towards the redemption of the funded stock, which does or shall bear an interest of six per centum per annum, excluding that which shall stand to the credit of the Commissioners of the Sinking Fund, and that which shall stand to the credit of particular States, on account of the balances reported in their favor by the Commissioners for settling accounts between the United States and individual States, commencing the redemption of that bearing a present interest, on the first of January, 1796, and of that to bear interest after the year 1800, on the first of January, 1802, and pledging, in the firmest manner, the faith of the United States to the creditors thereof, that the said fund shall be inviolably applied to the purpose of redeeming the stock aforesaid, and afterwards, to the redemption of the whole of the present Debt of the United States, foreign and domestic, funded and unfunded, until the whole shall be fully redeemed and discharged, and to be vested in the Commissioners of the Sinking Fund, as property in trust for the creditors, until the redemption of the whole of the present Debt of the United States shall be completed.

Provided always, that, whenever the fund shall be more than sufficient for paying off, as they accrue, the remaining instalments of the said Loan had of the Bank of the United States, and for the complete and final redemption of the whole of the aforesaid stock, bearing and to bear an interest of six per cent. according to the right reserved for that purpose, and also for the payment of the instalments of the present Foreign Debt, or of such new Loans as may be made thereupon, pursuant to the third proposition, and for the reimbursement, purchase, or redemption of the residue of the present Debt of the United States, within the term of thirty years, it shall be lawful for Congress, if at war with any foreign European Power,

to apply so much of the excess as they may think fit, the said excess being certified by the Commissioners of the Sinking Fund, towards the expenses of such war; excepting always so much of the said excess as may be requisite to fulfil any contracts which shall have been entered into by the Commissioners of the Sinking Fund, pursuant to the powers vested in them; and provided, that no second appropriation of any such excess shall derogate from the fund once reserved for the redemption or purchase of the said residue of the Debt, within the said term of thirty years.

10th. To provide that all reimbursements of the capital of the Public Debt, foreign and domestic, and of the remaining instalments of the aforesaid Loan of the Bank of the United States, be made under the superintendence of the Commissioners of the Sinking Fund, empowering them, with the approbation of the President of the United States, as the instalments of principal become due, to borrow, if necessary, the sums requisite to pay those instalments. Provided, that the ultimate term for the reimbursement of any Loan they may make, shall not exceed twenty-four years; the interest thereof to be charged—first, upon the interest of the instalments which shall be reimbursed by means thereof, except the instalments of funded six per cent. stock; secondly, upon the revenue from imports and tonnage, to make good any deficiency.

## VI. PROPOSITION.

That power be given to the Commissioners of the Sinking Fund, with the approbation of the President, to borrow, from time to time, such sums as may be necessary in anticipation of the revenues appropriated for the purpose, not exceeding, in one year, one million of dollars, to be reimbursed within a year from the time of each Loan, for the payment of the interest which shall annually accrue on the Public Debt.

The interest upon each Loan to be defrayed out of the permanent revenues.

## VII. PROPOSITION.

That the internal revenues from snuff and refined sugar, sales at auction, licenses to sell by retail foreign distilled spirits and wines, carriages for the conveyance of persons, be continued to the first day of January, 1800, and that the reimbursement of the principal of the Loan of \$1,000,000, authorized to be borrowed for defraying the expenses of foreign intercourse, be charged upon this fund.

## VIII. PROPOSITION.

That, in regard to any sum which shall have remained unexpended upon any appropriation other than for the payment of the interest of the Funded Debt and for the purposes of the Sinking Fund, for more than two years after the end of the calendar year in which the act of appropriation shall have been passed, such appropriation shall be deemed to cease and determine—and the sum expended upon it shall be carried to an account to be denominated "the Surplus Fund." But no appropriation shall be so deemed to have ceased or determined, till after the year 1795

unless it shall appear to the Secretary of the Treasury that the object of such appropriation has been fully satisfied; in which case it shall be lawful for him to cause to be carried the unexpended residue thereof to the account aforesaid.

#### IX. PROPOSITION.

That provision be made that all priorities, heretofore established in the appropriations for the Funded Debt, as between the different parts of the said Debt, shall, after the year 1796, cease, with respect to all creditors of the United States who do not before the expiration of the period, signify their dissent therefrom; and that, thenceforth, with the exception only of the debts of those creditors, who shall so signify their dissent, the revenues charged with these appropriations shall constitute a common or consolidated fund, chargeable indiscriminately and without priority.

#### X. PROPOSITION.

That provision be made for calling in all outstanding Loan Office certificates; certificates called final settlements, and indents of interest, and for issuing, in lieu of them, other certificates of equivalent tenor, establishing that all which shall not be presented for exchange within the term of two years shall be barred.

#### *Remarks upon the First Proposition.*

The experiment has now been fully tried, and with nearly complete success, of the disposition of the public creditors to accept the terms offered by the Funding Act. Those who still decline have probably made a final election to abide by their original contracts.

It remains to fulfil them. This, the moral obligation of the contracts; the new and peremptory sanction given to them by the present Government, and the essential maxims of public credit, unite to demand; and, while these cogent motives, affecting intimately the permanent character and general interest of the United States, recommend the measure, there is now no longer any momentary inducement, from situation, to procrastinate.

The present advanced state of the national finances, and the inconsiderable magnitude of the still unsubscribed Debt, render it of little, if any, consequence to obtain upon it the temporary accommodation of deferring the payment of a part of the interest accruing according to contract. This motive apart, and considering the approximation of the period when the payment of interest on the Deferred Debt is to commence, the chance of benefiting by a fall of the market rate of interest, incident to a provision for the Debt on the terms of the contract, which make it redeemable at pleasure, may be found more advantageous to the Government than the partial postponement of interest encumbered with an abridgement of the right of redemption.

To those who should not rightly appreciate this circumstance, it might seem an objection that the provision proposed would place those creditors, who had not consented to accommodate the Go-

vernment, upon a better footing than those who had so consented.

But a scruple of this kind is overruled by several considerations. 1st. It is not improbable that a considerable proportion of those who may not have accepted the terms offered by the Funding Act, are executors and other trustees, who may have doubted their power to accept.

2d. Giving the fullest force to the fact which is the ground of the objection, it is one of those cases in which the general principles that constitute the permanent happiness of society, give the less meritorious advantages over the more meritorious. All the creditors had a right to conform, or not. Those who have not done it, have only used their right, and it cannot be matter of objection or prejudice to them. To delay indefinitely a provision for their claims, according to contract, is to annihilate the contract.

The complying creditors cannot with propriety complain. They were informed unequivocally that the proposal of a new Loan was referred to their free choice; that the rights of those who did not assent would remain unimpaired; and compensations were offered in the new contracts for the surrender of the old. A plea that an ultimate provision was not relied upon, could not be admitted, because it would be to convert a distrust of the faith of the Government, into an argument against its being observed towards those who had depended upon it.

But the complying creditors actually received valuable considerations for the modification of their claims, instead of annual provision for their interest, which alone their contracts as they stood previous to the Funding Act required; they have had it secured by adequate funds permanently mortgaged for its payment.

Instead of the stipulated annuity being redeemable at pleasure, whenever a fall in the market rate of interest should render it advantageous to pay off the principal, it has acquired a more fixed character by the relinquishment of the right of the Government to redeem, except in certain proportions, and a capacity to increase in capital value, by a declension of the market rate of interest.

Instead of receiving their interest in one payment, at the end of a year, they receive it in quarter yearly portions, which makes it, in fact, 6.15 per cent., in lieu of the stipulated rate of six per centum.

On the first point it has been argued, that, supposing a steady preservation of its faith by the Government, it is indifferent to the creditor whether his demand stands upon the basis of an annual provision, or upon that of mortgaged funds.

This is to substitute theory to fact. As well with regard to a Government as to an individual, there is, in the nature of things, an intrinsic difference between the value of a debt bottomed on mortgaged funds, and that of a debt resting on what is called, in the one case, and may be called in the other, personal security. The degree of this difference, and some of the circumstances on

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which it depends, may be different in the two cases, but the reality of its existence can be denied in neither.

Government being administered by men, is naturally, like individuals, subject to particular impulses, passions, prejudices, vices; of course to inconsistency of views and mutability of conduct.

A kind of property of which the essence is contract, must necessarily, therefore, be more or less valuable, because more or less secure, in proportion as it is little or much exposed to the influence of that inconsistency, or that mutability.

If a provision is to be made by a new resolution every year, that resolution being always liable to be affected by momentary circumstances, is always casual.

If made once for all, it continues, of course, unless revoked by some positive act, and has for that reason a moral certainty of stability.

But why, it might be asked, if a disposition unfaithful to the public engagements, or unfriendly to the public credit, should exist, would it not operate to produce a violation of a provision made, as well as to prevent the making of one?

The two things are widely different. To undo, which is to act, and, in such a case, to act with violence, requires more enterprise and vigor, and presupposes greater energy, or a stronger impulse, than not to do, or to forbear to act. This is particularly true where a number of wills is to concur. Many men who will not rouse to the effort, or encounter the responsibility of doing mischief by positive acts, will readily enough slide into it by a negative conduct; that is, by omitting to act. Many men, merely from easiness of temper, or want of active fortitude, will suffer evil to take place, which they neither desire nor would themselves commit. In collective bodies, votes are necessary to action: absences may produce inaction. It often happens, that a majority of voices could not be had to a resolution to undo or reverse a thing once done, which there would not be a majority of voices to do.

This reasoning acquires tenfold force when applied to a complex Government like ours; that is, to a Government distributed into departments, acting through different organs which must concur to give it motion; as, in our Constitution, the House of Representatives, the Senate, and the President.

In delicate and difficult cases, whether to issue in good or ill, a suspension of action is far more natural to such a Government than action.

It can hardly happen that all the branches or parts of it can be infected at one time with a common passion, or disposition, manifestly inimical to justice and the public good, as to prostrate the public credit by revoking a pledge given to the creditors. It is far more probable that such a disposition should, at one time, possess one part, at another time, another part. Possessing either part, it might be sufficient to obstruct a provision which was to be made. Without possessing all the parts, it could not subvert one which had been made. The last can scarcely be supposed, except in one of

those extraordinary crises of nations which confound all ordinary calculations.

Hence the value of property in Public Debt, which rests on specified and competent funds, firmly pledged for the satisfaction of the creditor, is intrinsically greater, and to a considerable extent, than that of property in Public Debt, which depends on annual provision. Hence, too, a creditor to whom such a pledge was not stipulated, may be justly said to have received a compensation for the relinquishment of a portion of his interest.

On the second point, it has been observed, with less plausibility, that, in this country, where it would be to the advantage of the creditor to receive his principal rather than a rate of six per cent. interest, the abridgment of the right of redemption is of no value.

1st. The proposition is not universally true.

It depends on the particular situation of a creditor whether it be his interest to be reimbursed his principal or not. It is believed, owing to the impunctuality of collections, that in no part of the United States does fair lending at private interest, upon real security, nett six per cent.

2d. As far as it is true, it does not authorize the inference which is drawn, because the creditor cannot demand his principal when it suits him, but must wait till it is convenient for the Government to pay. This convenience might not exist till there was a fall in the market rate of interest, and then it would not be the interest of the creditor to receive.

Unable to exact the principal when he pleases, it is a material point gained to be able to arrest the hand of the Government from paying him, when it is his interest not to receive. It is evident, that whenever the rate of interest to which he is entitled, shall exceed the market rate, if he cannot be obliged to receive back his principal, or take the market rate, his stock must rise in value in proportion to the difference and degree of its duration.

Nor, is an idea which has been entertained, just, that this advantage is remote and contingent, to accrue only to those who may be holders at the time of the fall of interest, at the expense of those who were holders when the Funding Act passed, many of whom, as it is alleged, being obliged to alienate then or shortly after, suffered loss in the sale, from the postponement of a part of their interest, without benefiting by the supposed equivalents.

The fairness of an equivalent ought never to be tested by the necessities of particular individuals. It ought to be estimated by the general principles of value; by the natural and real operation of things. Admitting, therefore, the suggestion as to such individuals to be true, it would decide nothing.

But it is not true. The permanency of a high rate of interest, and the possibility of a future rise of the capital above par, by the fall of the market rate below the stipulated rate, were, to the first holders of stock, circumstance, of present value.

Foreigners, especially, whose purchases would necessarily influence the market would give higher prices for it on these accounts.

And when to this are added, the funding of the new stock and the payment of the interest quarter yearly, there is solid ground for entertaining an opinion that the stock has, from the earliest period, borne a better price in the market than upon the principle of an annual payment of six per cent. on the whole capital depending upon an annual provision.

This opinion would be confirmed, if we should take as a guide what actually happened in one or more of the States which made annual provision for the payment of interest upon their debts, at the stipulated rate of six per cent. With this provision the market price of their stock rarely exceeded 33½ per centum.

It is probable that greater confidence in the ability and constancy of views of the Government of the United States, might have given a greater value to their stock in a like situation. But it is not to be doubted that it would have felt, in a great degree, a similar effect of that situation.

This may not appear with respect to the small amount of unsubscribed Debt now to be provided for, and with the advantage of a confirmation of confidence by experience; but it could not have failed to have been very apparent, if the whole Debt had been provided for on this plan.

These observations serve to render it probable that the creditors who have accepted the terms offered by the Government, have not been injured by the acceptance; that, if they had now an option to change their ground for that which is now proposed for non-subscribers, it would be an ill-judged choice in them to do it; and that, upon these, as well as other accounts, they will have no cause to be dissatisfied with the proposal under consideration.

Let it be added, that, whether the non-subscribers shall fare better or not by that proposal than the subscribers, it is the interest of all the public creditors, upon principle and precedent, that the public faith should be preserved towards those non-subscribers.

But, at the same time, every consideration connected with the question urges that nothing more should be done for non-subscribers than is positively due to good faith. Accordingly, the proposition contemplates that their debt shall not be funded, but that provision shall be annually made.

With regard to arrears of interest, a tenth part only is proposed to be paid on the first of January, 1796. At this rate they would be paid off in ten years.

In strictness, they ought to be immediately discharged. But, to have done this on the whole Debt, would have been impracticable; to do it on what now remains unsubscribed, would not only be unequal, but would, at the present moment, obstruct arrangements which are conducive to the general interests of the creditors. The state of the Treasury in succeeding years will enable Congress to decide how far the payment can be

accelerated. In the mean time, the creditors have an option to separate these arrears from the principal, and to fund them at three per cent., as has been done generally with regard to interest. The case of a large arrear of interest, arising from the inability of a former Government, which is the present case, is liable to some peculiar considerations.

A difference is made in the special case of the Loan Office certificates, which, by contract, are entitled to interest of six per cent. on the nominal principal, redeemable only by payment of the specie principal.

This is too disadvantageous a footing for the Government.

The alternative most convenient at this time, is to pay off the Debt, which is proposed. To clude this contract would be to sacrifice a very great principle to a very little interest.

The amount will be seen in the statement A.

#### *Remarks on the Second Proposition.*

The certificates, or bills of credit, called new emission money, were emitted pursuant to a resolution of Congress, of the 18th of March, 1780, which directs them to be emitted upon the funds of individual States, to bear an interest of five per centum per annum, payable in specie, at the redemption of the bills; or, at the election of the holder, annually, at the Continental Loan Offices, in sterling bills, drawn by the United States upon their Commissioners in Europe, and pledges the faith of the United States for the payment of the said bills, in case any State on whose funds they should be emitted, should, by the events of war, be rendered incapable to redeem them; directing, also, an endorsement to be made upon each bill, in these words: "The United States insure the payment of the within bill, and will draw bills of exchange for the interest annually, if demanded, according to a resolution of Congress of the 18th of March, 1780."

These resolutions and the endorsement upon the bills, engage the absolute promise of the United States for the payment of the interest indefinitely, and their eventual guarantee of the principal, in case any State on whose funds the bills should be emitted, should, by the events of war, be rendered incapable to redeem them; which is, in effect, though not in form, an absolute guarantee of the principal, for the United States are bound to pay the interest perpetually till that is discharged.

Good faith demands that the United States should supply the omissions of the States which issued the bills, by providing themselves, at least for the interest upon them.

But it is not as easy to pronounce on what terms they ought to be provided for.

On their face, and according to the unrevoked resolutions of Congress, they are of specie value, equal to their nominal amount, and bearing five per cent. interest.

But it is known that they were issued by different States, at different values, fixed by previous laws. The true nature of the contract, therefore,

in fact, and the true equity of the case, are, from these circumstances, involved in some question.

A compromise, by a new agreement, seems the best road out of the difficulty.

This is the aim of the proposition, which, it is hoped, will, in the main, reasonably consult all interests.

There have been special references of this subject to the Secretary, but he purposely declined a report till the expiration of the term limited by the act, entitled, "An act relative to claims against the United States, not barred by any act of limitation, and which have not been already adjusted," passed the 12th of February, 1793, had obviated a danger to which the business was exposed. It is now ascertained that the amount for which the United States shall be in future liable, is ninety thousand five hundred and seventy-four dollars. The sums subscribed to the Loan, will, of course, be a charge against the States which respectively issued the bills.

#### *Remarks on the Third Proposition.*

The payment of interest and instalments of principal of our Foreign Debt, in the countries where it was contracted, is found by experience to be attended with difficulty, embarrassment, some loss, and a degree of casualty which occasionally puts in jeopardy the national credit. Loans for reimbursement must be made before-hand, as the market suits, and necessarily involve double interest for a greater or less time. The procuring of bills to be remitted for payment of interest, cannot be depended upon in coincidence with the periods of payment, which, co-operating with distance, renders inconvenient anticipations necessary.

The remitting in commodities would be liable to other casualties, and to some peculiar objections; and whatever mode be adopted, it may be frequently not practicable to deposite in season the necessary funds on the spot, without great sacrifices. If, therefore, the place of these payments could, with consent of the creditors, upon an equitable indemnification to them for the transfer, be changed to the United States, the operation would be, in various lights, beneficial. It has occurred that the present posture of the affairs of Europe might favor a plan of this kind, and perhaps produce some collateral advantages. Under this idea, an experiment is proposed. The promised augmentation of interest is intended as an indemnification for the expense and hazard of agencies in this country, delays in remittance, inconvenience of distant negotiation, renunciation of the facilities which attend the receipt of interest at home, risks of loss by exchange, &c., and is calculated on a liberal scale, in order to induce an acceptance of the proposition.

If, instead of an increase of interest, the option of an equivalent be given, by way of premium, in stock bearing an interest of five per cent., it would have attractions for certain creditors, and would facilitate the success of the measure. On strict calculation, the equivalent would be six dollars and fifty-eight cents per 100 dollars of the principal subscribed. It is not perceived that the inter-

ests of the United States could suffer by allowing the alternative. The fixing of the rate of interest, by postponing the reimbursement to the year 1818, would also be a powerful inducement. And till the period of reimbursement arrives, any surplus of the Sinking Fund which may exist, can be invested in purchases, so as to prevent the progress of the fund being arrested.

It could not be necessary to observe, except for the sake of dispelling jealousy or apprehension on the part of the creditors, that, while the plan is in experiment, and afterwards, with regard to all who do not embrace it, everything is to proceed as heretofore, and as the contracts respecting the debt require.

The auxiliary proposition of giving power to the Commissioners of the Sinking Fund to remit certificates for sale, is founded upon a belief that this operation will sometimes be practicable, where direct loans cannot be effected, and will be occasionally a more beneficial mode of remittance than by bills of exchange.

#### *Remark on the Fourth Proposition.*

The object of this proposition is to give moral certainty to the adequateness of the fund for paying the interest upon the Debt, and for its ultimate redemption, making a reasonable allowance for the casualties to which it is exposed.

#### *Remarks on the Fifth Proposition.*

There is no sentiment which can better deserve the serious attention of the legislators of a country, than the one expressed in the Speech of the President, which indicates the danger to every Government from the progressive accumulation of debt.

A tendency to it is, perhaps, the natural disease of all Governments; and it is not easy to conceive anything more likely than this to lead to great and convulsive revolutions of empire.

On the one hand, the exigencies of a nation, creating new causes of expenditure, as well from its own, as from the ambition, rapacity, injustice, intemperance, and folly, of other nations, proceed in increasing and rapid succession. On the other, there is a general propensity in those who administer the affairs of a Government, founded in the constitution of man, to shift off the burden from the present to a future day—a propensity which may be expected to be strong in proportion as the form of a State is popular.

To extinguish a debt which exists, and to avoid the contracting more, are ideas always favored by public feeling and opinion; but to pay taxes for the one or the other purpose, which are the only means of avoiding the evil, is always more or less unpopular. These contradictions are in human nature; and happy, indeed, would be the lot of a country that should ever want men ready to turn them to the account of their own popularity, or to some other sinister account.

Hence, it is no uncommon spectacle to see the same men clamoring for occasions of expense, when they happen to be in unison with the present humor of the community, whether well or ill directed, declaiming against a Public Debt, and for

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the reduction of it as an abstract thesis; yet vehement against every plan of taxation which is proposed to discharge old debts, or to avoid new, by defraying expenses of exigencies as they emerge.

These unhandsome arts throw artificial embarrassment in the way of the administration of a Government, and, co-operating with the desire which they themselves are too apt to feel to conciliate public favor, by declining to lay even necessary burdens, or with the fear of losing it, by imposing them with firmness, serve to promote the accumulation of Debt, by leaving that which exists without adequate provision for its reimbursement, and by preventing the levying, with energy, new taxes, when new occasions of expense occur. The consequence is, that the Public Debt swells till its magnitude becomes enormous, and the burdens of the people gradually increase, till their weight becomes intolerable. Of such a state of things, great disorders in the whole political economy, convulsions and revolutions of Government, are a natural offspring.

There can be no more sacred obligation, then, on the public agents of a nation, than to guard, with provident foresight and inflexible perseverance against so mischievous a result. True patriotism and genuine policy cannot, it is respectfully presumed, be better demonstrated by those of the United States, at the present juncture, than by improving, efficaciously, the very favorable situation in which they stand, for extinguishing with reasonable celerity, the actual Debt of the country, and for laying the foundation of a system which may shield posterity from the consequences of the usual improvidence and selfishness of its ancestors, and which, if possible, may give immortality to public credit.

Fortunately for the first object, the circumstances in our foreign affairs, which during the last session, impelled to an extension of the national revenues, have left little more to do than to apply the existing means with decision and efficacy.

The second object will depend on the establishment of wise principles in the application, fitted to become a permanent precedent in the fiscal system of the country.

The first report of the Secretary on the subject of the Public Debt, of the 9th of January, 1790, suggests the idea of "incorporating, as a fundamental maxim in the system of public credit of the United States, that the creation of Debt should always be accompanied with the means of extinguishment; that this is the true secret for rendering public credit immortal, and that it is difficult to conceive a situation in which there may not be an adherence to the maxim;" and it expresses "an unfeigned solicitude, that this may be attempted by the United States, and that they may commence their measures for the establishment of credit with the observance of it."<sup>\*</sup>

<sup>\*</sup> It is understood that the Parliament of Great Britain has within the last four years, formally adopted as a standing rule, the principle of incorporating, with the creation of Debt, the means of extinguishment. How much easier must the execution of this important principle be to the United States, than to a nation which, before it began, had so deeply mortgaged its resources. Let the United States never have to regret, hereafter, that they postponed too long so provident a precaution.

No opportunity has been lost by the Secretary as far as he could contribute to the event, to reduce this principle to practice; and important steps towards it have been, from time to time, taken by the Legislature.

But much remains to be done to give it full effect. The present state of things encourages and invites to the consummation of the plan. And the Secretary, about to leave the office he holds, feels it a peculiar duty to make a final effort to promote that invaluable end.

This is the object of the fifth proposition, aided by the preliminary provisions of the 4th. This proposition aims at two principal points: 1. To constitute a fund sufficient, in every supposable event, for extinguishing the whole of the present Debt of the United States, foreign and domestic, in a period not exceeding thirty years. 2. To fix its destination unchangeably, by not only appropriating it permanently, under the direction of Commissioners, and vesting it in them as property in trust, but by making its faithful application a part of the contract with the creditors.

As to the first point: If the temporary duties on imports be rendered permanent, the annual reservation of six millions of dollars postponed; and if the additional appropriations which are proposed, be made to the Sinking Fund; its intended force will not only be equal to the effect meant to be produced, but it may be hoped that there is scarcely a casualty which can reasonably be taken into calculation, foreign war not excepted, which will occasion a deficiency in the fund.

The whole amount of the duties on imports and tonnage, and upon domestic distilled spirits and stills, estimated now to amount to \$6,079,418 58, besides the dividends on Bank stock, and the items which now compose the Sinking Fund, will then be appropriated, primarily, to the interest upon the Public Debt, and to the Sinking Fund; which, together, including the deferred stock, will demand, permanently, from that revenue, \$4,378,836 03—little more than two-thirds of the funds from which they arise. An expectation may be indulged, that even foreign war, making due allowance for what will always be practicable, through neutral Powers, would not occasion a defalcation in the revenues greater than the difference. This competency of the fund is an essential idea. The fulfilment of the object, as far as the uncertainty of human affairs will permit, ought to be superior to casualty.

The necessity of a reliance on auxiliary provisions, always precarious in those situations which affect the productiveness of the public revenues, ought to be, as far as practicable, superseded by the ample nature of the provision.

As to the second point: The intent is to secure, by all the sanctions of which the subject is susceptible, an inviolate application of the fund, according to its destination. No expedients more powerful can be devised for this purpose, than to clothe it with the character of private property, and to engage absolutely the faith of the Government, by making the application of it to the object, a part of the contract with the creditors.

But is this necessary?

Its necessity rests on these cogent reasons: The inviolable application of an adequate Sinking Fund is the only practicable security against an excessive accumulation of Debt, and the essential basis of a permanent national credit.

Experience has shown, in countries the most attentive to the principles of credit, that a simple appropriation of the Sinking Fund is not a complete barrier against its being diverted, when immediate exigencies press. The causes which have been stated with another view, tempt the administrators of Government to lay hold of this resource rather than resort to new taxes. This indicates the utility of endeavoring to give, by additional sanctions, inviolability to the fund.

But, will those proposed answer the end?

They are the most efficacious that can be imagined, and they are likely to be entirely efficacious. They cannot be disregarded, without, by breach of faith and contract, destroying credit; and, at a juncture, too, when it is most indispensable. The emergencies which induce a diversion of the fund, are those in which loans, and, consequently, credit, are most needed.

But will it be safe to put the fund so entirely out of the command of the Government? May there not be situations in which the command of it may be requisite to the safety of the State?

This is not conceivable. The amount of the Sinking Fund will, in the situations which create extraordinary demands for money, be always inconsiderable, compared even with a single year's expenditure. The current revenues of a nation do not, in such cases, suffice. Plunder or credit must supply the deficiency. The first presupposes a subversion of all social order. The second will find its best support and greatest efficacy in adhering steadily to the principles of such a fund. An annuity of seven dollars will pay the interest upon, and discharge a capital of one hundred dollars, bearing six per cent. interest, in thirty-three and a third years, nearly. The situation of a country must be not a little exhausted, if it cannot create yearly, by new revenues, during the continuance of a foreign war, an annuity on the above scale, sufficient to fund the loans, of which it may stand in need. Ten millions of dollars will, with order and economy, maintain, in this country, an army of fifty thousand men, for a year. Viewing our geographical position, is there a prospect of any war expensive beyond this ratio? If not, an annuity of seven hundred thousand dollars, created each year of the war, would suffice. But it would be wise, in such an event, to carry taxation, in the first instance, to the full extent of the ability of the State, which would proportionably contract the necessity for borrowing, and consequently, the extent of the annuities necessary for loans.

If a nation can find embarrassment in creating the revenues requisite on this scale, it must arise from her having reached a stage when, from the neglect of the principle now inculcated, the mass of her Debt has become so enormous as to strain her faculties in order to make a provision for it.

The United States are in a situation altogether

different. An inspection of the list of their revenues discovers that they have a large field of resource unexplored. Their youth, and large tracts of unsettled lands, and lands in the infancy of improvement, assure them a great and rapid increase of means. Even their actual revenues, without additions, must, with the progress of the country, considerably increase. And, though war may interrupt, the temporary interruption being removed by the restoration of peace, their increasing productiveness, suspended for a time, must resume its vigor and growth. In a given number of years, a considerable augmentation is certain.

The Government of this country may, therefore, adopt, fearless of future embarrassment, a principle which, being adopted, will ultimately furnish resources for future exigencies, without an increase of burden to the community.

To explain this last idea: It will readily be perceived, that the funds pledged for paying the interest, and sinking the principal of a portion of the Debt existing or created at a particular time, will, within a certain period, extinguish that portion of Debt.

They will then be liberated, and will be ready for any future use, either to defray current expenditures, or be the basis of new loans, as circumstances may dictate. And, after a course of time, it is a reasonable presumption, that the funds, so successively liberated, will be adequate to new exigencies, as they occur.

Moreover, the last clause of the proposition authorizes the deriving aid from the Sinking Fund for new loans, whenever the state of the fund admits of it, consistently with the accomplishment of its purposes; that is, when it is sufficient—1st, to make good the payments on account of the principal of the Debt, as they accrue; 2d, to purchase in the market all that part of the Public Debts of which there is no stipulation of payment by instalment, (as the three per cent. stock) within a period of thirty years.

This, while it secures the extinction of the existing Debt, within a reasonable time, by preventing too great a proportion of the public revenue from being tied up by the Sinking Fund, gives due weight to the consideration of providing for future emergencies.

The same consideration has governed in proposing, (instead of the appropriation of a definite sum out of the revenue from imports and tonnage which, in certain years, will be greater than will be permanently necessary) that the sum to be applied out of that revenue shall be so much, from year to year, as, with the other items of the Sinking Fund, will suffice for the object. It has likewise influenced in postponing the redemption of that stock which stands to the credit of certain States, in consequence of the report of the Commissioners for settlement of accounts.

Every system of public credit must assume it as a fundamental principle, that the resources of the country are equal to its probable exigencies, and that it will possess ability to pay the debts which it contracts. If this be so, there is no cause to hesitate about the inviolable appropriation of funds to



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the extinction of an existing Debt, within no less a term than thirty years.

Indeed, as before intimated, it cannot be doubted that the resources of a credit, built upon a foundation so solid as that which is recommended, will more than replace, even in the earliest stages of our affairs, the use of the additional funds withdrawn from the command of the Government, to effect it, and, in the eventual operation will give a more abundant command of funds, than it can otherwise have. The successive liberation of the revenues, successively pledged, after accomplishing their object, will afford resources that may almost be said to be inexhaustible.

It should be recollected, too, that the public arrangements may, under a great pressure, anticipate the approaching period of such a liberation, by intermediate temporary loans, to be replaced by those funds when they are free.

This proposition exemplifies, as to the past, the nature of the maxim which has been supposed capable of giving immortality to credit, namely, that, with the creation of debt, should be incorporated the means of extinguishment; which means are two-fold: 1. The establishing, at the time of contracting a debt, funds for the reimbursement of the principal, as well as for the payment of interest within a determinate period. 2. The making it a part of the contract, that the fund, so established, shall be inviolably applied to the object.

It is believed that it would be happy for the United States, if Congress would adopt this principle as a rule in all future loans, never to be departed from; and a good evidence of this determination will be, to apply it to the past.

This would be, at the same time, an antidote against what may be pronounced the most plausible objections to the system of funding public debts; which are, that, by facilitating the means of supporting expense, they encourage to enterprises which produce it; and, by furnishing in credit a substitute for revenue, likely to be too freely used, to avoid the odium of laying new taxes, they occasion a tendency to run in debt. Though these objections to Funding Systems, which, giving the greatest possible energy to public credit, are a great source of national security, strength, and prosperity, are very similar to those which speculative men urge against national and individual opulence, drawn from its abuses; and though, perhaps, upon a careful analysis of facts, they would be found to have much less support in them than is imagined, attributing to those systems effects which are to be ascribed, more truly, to the passions of men, and perhaps to the genius of particular Governments; yet, as they are not wholly unfounded, it is desirable to guard, as far as possible, against the dangers which they suppose, without renouncing the advantages which these systems undoubtedly afford.

It will readily be seen, that the maxim of making concurrent provision for the principal as well as interest, in the act of contracting debt, if by precedent and habit, it can be rendered a rule

of administration, by implicating a greater portion of the revenue in every such operation than would be requisite for a mere provision for interest, will control proportionably the disposition to defer the burden to futurity, and create a greater necessity for circumspection in incurring expense.

It is, probably, the true expedient for uniting a due regard to the present accommodation of the community, with a due care not to overburden posterity—the full energy of public credit, with a salutary restraint upon the abuses of it.

To this explanation of the general principles of the fifth proposition, it may be proper to add some brief notes on particular parts of it.

It is proposed that the redemption of the present six per cent. stock shall commence on the 1st of January, 1796. This time of commencement is recommended by several reasons: 1. It ought to be such as to admit of sufficient notice to distant creditors. 2. It will favor order, to date the commencement of every new pecuniary operation, where there is an option, and no particular reason to the contrary, with the commencement of the natural year. 3. The moment of payment presupposes that the annuity to be paid has actually accrued, which will not be the case till the end of the present year. 4. The small delay, by not forcing the means, will facilitate the future execution.

It is a part of the plan to make provision for reimbursing the remaining instalments of the two million Loan, had of the Bank of the United States, pursuant to the act of incorporation. The preceding instalments have been reimbursed out of the proceeds of Foreign Loans. This resource cannot, in future, be relied upon; and, for such a purpose, it is not as eligible as a domestic one, though circumstances have hitherto dictated a recurrence to it. By making the dividends on the stock auxiliary for this purpose to the revenue from taxes, the object is effected with little more than half the sum from that revenue; and, in the end, a fund is formed from the dividends, which, with a small addition, suffices for the redemption of the deferred stock. As these instalments are yearly falling due, and must be, as they accrue, it is essential that a provision for them be contemplated in the general arrangement requisite to the completion of our system of credit. There is, perhaps, no easy alternative to what is proposed, except the sale of the stock. But, waiving other weighty considerations against such a measure, it is, in the view of a true economy, liable to the most solid objections.

It is morally certain, that the dividends on the stock will increase, and the value of the capital, from this and collateral causes, more than proportionably. There is no momentary urgency to induce the relinquishment of this future advantage. To sell at present, would be to abandon the difference without necessity. It cannot be expedient in a Government to part with a capital, which, at the time, produces as great or a greater revenue, than can be realized from the proceeds of a sale, however invested; and which

has an inherent tendency to future augmentation. The measure, too, would be to renounce, or lessen, a most convenient resource for forming the redeeming fund of the deferred stock.

It is proposed to carry the proceeds of the sales of the Western lands to the Sinking Fund. This is to execute the intention of the Funding Act, which has not organized the mode of application; and it has the advantage of combining, in one system, all the provisions for extinguishing the Debt.

It is proposed that all suppluses of revenue shall, at a certain time, be carried to the use of the Sinking Fund. This is to extend and give effect to a principle which has already received the Legislative sanction. It was necessary to fix a time when the appropriation of the surplus should become absolute, and that this should be consistent with a due opportunity to provide for the exigencies of the public service. Both these considerations have been consulted. This measure has, besides, reference to a more speedy redemption of the Debt than it appears prudent to attempt by an absolute appropriation of more extensive funds. And the legislators of to-day would be entitled to the lasting gratitude of their country, if they would extend this auxiliary resource, by all the means which are consistent with a due regard to the present accommodation of their constituents.

It is proposed to authorize the Commissioners of the Sinking Fund to provide, by new loans, for the reimbursement of the instalments which, from time to time, accrue. This is on the ground, that it is essential to the perfection of the system of redemption, that all the means of ultimate execution should be organized in it, and that there should be no need of future provisions.

The last clause of the proposition excepts, from the operation of that clause, the interest on the six per cent. stock. This is because that interest is destined to form the accumulations for paying the successive instalments of the principal of that stock, which increase each year in a ratio to the interest liberated by each payment.

The statement E exhibits the course of the Sinking Fund, as proposed to be established.

*Remarks on the Sixth Proposition.*

This will be a useful and important provision. It has reference to a circumstance repeatedly adverted to—the long credits given upon the principal branches of revenue; from which it happens, that, though the fund itself, or the product of the revenue, is more than adequate to an appropriation, yet the receipts upon it come too slowly into the Treasury to answer the end, without anticipation by temporary loans. Its propriety depends on the principle suggested under the last head, of having all the means of complete execution organized in the system of Public Credit.

*Remarks on the Seventh Proposition.*

It is a good rule of caution, that no more of the public revenues should be rendered permanent, than is necessary to give moral certainty to the

provisions which may be regarded as the pillars of Public Credit. This idea will, it is believed, be satisfied, by giving permanency to the now temporary duties on imports. Accordingly, it is only proposed to extend the duties, mentioned in this proposition, to the year 1800, and thence, to the end of the next ensuing session of Congress; which is on the ground, that they ought to be commensurate in duration with the objects which they are to accomplish, and no more.

It has been already noticed, that they are at present chargeable, together with the temporary duties on imports, laid in the last session, with an appropriation of 1,292,137 dollars and thirty-eight cents, and with the interest of one million of dollars, authorized to be borrowed with a view to foreign intercourse; having a special eye to an object very interesting to the commerce and feelings of the United States.

This business wants a further arrangement; standing at present, upon a vague and inefficient footing. The reimbursement of the Loan is not adequately provided for, neither is the interest, this being predicated on funds which, in their present form, would probably expire after a product of two years.

According to the fifth proposition, the temporary duties on imports, after the above mentioned appropriation of 1,292,137 dollars and thirty-eight cents shall have been satisfied, will become permanently charged with the interest on the Public Debt, the Sinking Fund, and the annual reservation of six hundred thousand dollars for the support of Government.

If the duties mentioned in the sixth proposition are continued till the first of January, 1800, and the reimbursement of the principal of the Loan, as well as the interest, is referred to them, two good purposes will be answered: the obtaining the Loan will be facilitated, and its complete reimbursement will be effected within the term allotted, without an augmentation of the permanent Debt of the country. This makes allowance for fulfilling the appropriation for the current service, already charged upon this fund.

It is presumed to be a conclusive reason in favor of the proposition, that it aims at preventing an increase of permanent Debt. If services of this kind, when the United States are at peace, (at least with civilized Powers) are made causes of permanent loans, the progress of new debt will easily exceed the extinction of old.

It appears desirable that there should be a steady effort, as a rule of administration, not to increase the permanent Debt of the country by permanent loans, except when it is inevitable, by the existence of a war with some European Power.

The comparative view of revenue and expenditure (statement F) establishes, satisfactorily, that these duties cannot be dispensed with, unless there be a substitute, if the redemption of the Public Debt is to be seriously entered upon; and it is believed that there cannot be devised objects of revenue more proper in themselves, nor more generally acceptable to the people. Whatever

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interested parties may allege, it seems self-evident that there can hardly be a reasonable question, except as to the best mode of collection. The objection, that part of them falls on manufactures, has no weight. The manufactures on which they fall are complete luxuries, and completely established; consequently, fit objects of revenue. The increased duties on the rival foreign articles, are a full protection to the manufacture. Whatever may be the appearances in the infancy of the tax, it is certain, in principle, that it will finally fall on the consumer, as generally as duties on imported commodities.

*Remarks on the Eighth Proposition.*

This is to terminate an embarrassment which has been experienced. Appropriations are frequently made for objects, the extent of which is not precisely known, or in a degree casual. To leave them indefinite, as to time, is sometimes to tie up, unnecessarily, a portion of the public funds, which may, ultimately, not be wanted at all for the purpose of the original appropriation.

It will do away this inconvenience, and promote perspicuity in the Treasury accounts of appropriations, if an ultimate period is fixed when each appropriation shall be deemed to have ceased. Should further appropriations appear necessary for the same objects, new estimates can be presented, and new appropriations made.

The designating an account with a denomination known in the laws, to which the surplusses are to be carried, will facilitate future Legislative dispositions of the resulting fund. It is, however, essential to the system of Public Credit, that this should be with the exceptions contained in the proposition.

*Remarks on the Ninth Proposition.*

This proposition is calculated to give simplicity to the public accounts of stock and revenue, which will conduce to correctness, despatch, and economy. As the revenues are manifestly more than adequate to the claims of all the creditors, they, none of them, have any interest in the distinctions which now exist, and which grew out of the course of the business, and the rights of none of them will be affected, because all who choose may continue on their former ground, by signifying their dissent to the present plan. It is however, presumed, there will be no such dissent.

*Remarks on the Tenth Proposition.*

It is important to the fiscal calculations, to ascertain, positively, the extent of every portion of the Public Debt. At present, the amount of these several items of it is deduced from accounts of the late war, of various officers and offices; in some instances, conducted with little order. There is not, therefore, sufficient certainty; indeed, it is probable, from the length of time that has elapsed without their appearing, that the computed amount exceeds the real.

Besides, they are, from their nature, subject to forgeries and counterfeits; which implies a danger of loss to the public, till their circulation is finally terminated. The proposition, accordingly,

besides the obtaining of better information, aims at obviating this danger.

Allowing for sufficient time for bringing them in to be exchanged for certificates of equivalent tenor, while it is a measure tending to public information and security, it can be liable to no reasonable objection on the part of the creditors.

The Secretary of the Treasury has reserved for the conclusion of this report, a proposition which appears to him of great importance to the Public Credit, and which, after some preliminary observations, will be offered to consideration. It relates to the right of taxing the Public Funds, and to that of sequestering them in time of war.

A proposition on either of those points, would have been deemed superfluous, had there never been discussions asserting a right to do the one and the other, and even the expediency of exercising that right. The negative of both the pretensions, from the habit of regarding it as incapable of being disputed, had acquired, in the mind of the Secretary, so much the force of an axiom, as to have precluded even the mention of the subject in the plan which he originally submitted for funding the Public Debt. He should, otherwise, have thought it an indispensable duty to suggest, as a matter of primary consequence to the system of credit contemplated in the plan, the express renunciation of those pretensions; for they are (as he believes) not only unwarranted by principle or usage, but subversive of the sound maxims of Public Credit. A persuasion that this would always be a truth granted in the councils of the United States, is his apology for the omission.

Even now he should think it useless to depart from his silence on the point, had not the discussions alluded to, created some alarm in places where all the circumstances are not well understood, which it is the interest of the country to dispel. The confidence justly to be reposed in the collective wisdom of this Government, forbids the supposition, by one acquainted with its Constitution, that the security of the creditor can need, in this particular, a further sanction. It is presumed to be impossible, that any final act can ever give so deep a wound to the national interest and character, as to derogate from a principle which may be placed among the most sacred in the administration of a Government.

Is there a right in the Government to tax its own funds?

The pretence of this right is deduced from the general right of the Legislative power to make all the property of the State contributory to its exigencies.

But this right is obviously liable to be restricted by the engagements of the Government; it cannot be justly exercised in contravention of them; they must form an exception. It will not be denied, that the general right in question, could, and would, be abridged, by an express promise not to tax the funds. This promise, indeed, has not been given in terms, but it has been given in substance. When an individual lends money to the State, the State stipulates to repay

him the principal lent, with a certain interest, or to pay a certain interest, indefinitely, till the principal is reimbursed; or, it stipulates something equivalent, in another form. In our case, the stipulation is in the second form.

To tax the funds, is manifestly either to take, or to keep back, a portion of the principal or interest stipulated to be paid.

To do this, on whatever pretext, is not to do what is expressly promised; it is not to pay that precise principal, or that precise interest, which has been engaged to be paid; it is, therefore, to violate the promise given to the lender.

But, is not the stipulation to the lender, with a tacit reservation of the general right of the Legislature to raise contributions on the property of the State?

This cannot be supposed—because it involves two contradictory things: an obligation to do, and a right not to do. An obligation to pay a certain sum, and a right to retain it in the shape of a tax. It is against the rules, both of law and reason, to admit, by implication, in the construction of a contract, a principle which goes in destruction of it.

The Government, by such a construction, would be made to say to the lender: "I want a sum of money, for a national purpose, which all the citizens ought to contribute proportionably, but it will be more convenient to them, and to me, to borrow the money of you. If you will lend it, I promise you faithfully, to allow you a certain rate of interest, while I keep the money, and to reimburse the principal within a determinate period, except so much of the one and the other, as I may think fit to withhold, in the shape of a tax."

Is such a construction either natural or rational? Does it not, in fact, nullify the promise by the reservation of a right not to perform it?

Is it to be presumed, without being expressed, that such can be the understanding of a lender, when he parts with his money to a Government?

The contrary is so much the more presumable, that nothing short of an express reservation can support the pretension to tax the fund.

It may be replied, that the creditor might be willing to rely upon the equity of the Government, not to abuse its right, by exacting from him excessive contributions.

This, if true, does not obviate the difficulty of supposing the co-existence of an obligation and a right, destructive the one of the other, in interpreting the sense of a contract, when nothing of the kind is said.

It is possible that a creditor might be willing so to contract; yet it is still necessary, in order to determine that he has done it, to find some provisions or expressions in the contract, indicating the intention, to render what is stipulated compatible with what is reserved. But it is not probable that an individual would be willing to lend upon such terms. He would justly apprehend, that, in great emergencies, a right, having no limit but the opinion of the party possessed of the power, would be abused, and that the convenience of laying hold of a fund already prepared and at hand, supported by a claim of right, would be a tempta-

tion to abuse, not easy to be resisted. However well disposed to contribute, in common with his fellow-citizens, on all the ordinary objects of property or income, he would be unwilling to subject himself to a special burden, in the peculiar character of creditor of the State. He would prefer to employ his money in other ways; even to lend it to private persons, where it might be more likely to escape the hand of the fiscal power.

Let the question be tried by another analysis.

Public Debt can scarcely, in legal phrase, be defined either property in possession or in action. It is evidently not the first, till it is reduced to possession by payment. To be the second, would suppose a legal power to compel payment by suit. Does such a power exist? The true definition of Public Debt is a property subsisting in the faith of the Government. Its essence is promise. Its definite value depends upon the reliance that the promise will be definitely fulfilled. Can the Government rightfully tax its promises? Can it put its faith under contribution? Where or what is the value of the Debt if such a right exist?

Suppose the Government to contract with an individual to convey to him a hundred acres of land, upon the condition of paying a hundred dollars. When he came to pay the hundred dollars and demand his title, could the Government require of him to pay fifty more as a tax upon the land, before it would consent to give him the title? Who would not pronounce this to be a breach of contract—a fraud—which nothing could disguise?

This case is parallel with that under examination, with circumstances that fortify the right of the lending creditor.

The Government agrees with him, that, for one hundred dollars, which he delivers to the Government, it will deliver to him, at the end of each year, six dollars. Here the six dollars to be delivered answer to the land to be conveyed, with this stronger ground of right, that the consideration for them has actually been given and received. Yet, when the creditor comes to demand his six dollars, he is told that he cannot have them, except with the reservation of one dollar as a tax upon the six, or that he cannot have them, except upon the condition of returning one dollar as that tax. What is this but to say, that his title to the money in this case, as to the land in the other, must depend upon his paying, or allowing a further consideration for it, not contemplated in the contract? Can there be a doubt that this, also, would be a breach of contract—a fraud?

The true rule of every case of property, founded on contract with the Government, is this: It must first be reduced into possession, and then it will become subject, in common with other similar property, to the right of the Government to raise contributions upon it. It may be said, that the Government may fulfil this principle, by paying the interest with one hand, and taking back the amount of the tax with the other. But to this, the answer is, that, to comply truly with the rule, the tax must be upon all the money of the community, not upon the particular portion of it which is paid to the public creditors; and it ought, besides, to be so reg-

ulated, as not to include a lien of the tax upon the fund. The creditor should be no otherwise acted upon, than as every other possessor of money; and consequently, the money he receives from the public, can then only be a fit subject of taxation when it is entirely separated, and thrown, undistinguished, into the common mass. A different practice would amount to an evasion of the principle contended for, and to oppression. A rent, or annuity, liable before it passes, or in the act of passing, or at the moment of passing from one proprietor to another, to a deduction, or drawback, at the pleasure of the party from whom it is to pass, is an imaginary thing, destitute both of shape and substance.

When a Government enters into contract with an individual, it deposes as to the matter of the contract, its Constitutional authority, and exchanges the character of legislator for that of a moral agent, with the same rights and obligations as an individual. Its promises may be justly considered as excepted out of its power to legislate, unless in aid of them. It is, in theory, impossible to reconcile the two ideas of a promise which obliges with a power to make a law which can vary the effect of it. This is the great principle that governs the question, and abridges the general right of the Government to lay taxes, excepting out of it a species of property which subsists only in its promise.

There are persons who, admitting the general rule, conceive a distinction to exist between a tax upon the funds, which must be paid at all events, and a tax upon alienations of them, which will only be paid when they are transferred from one to another. The latter they think justifiable, because it is in the option of the creditor to avoid the tax, by avoiding the alienation. But the difference between the two cases is only a difference in the degree of violation.

The stock, in its creation, is made transferable. This quality constitutes a material part of its value, and the existence of it is a part of the contract with the Government, which has undertaken, itself, to conduct the operation of transferring by its own officers, and consequently at its own expense. It is as completely a breach of contract to derogate from this quality, in diminution of the value of stock, by encumbering the transfer with a charge or tax, as it is to take back, in the same shape, a portion of the principal or interest. It is obvious, too, that this may be carried so far as essentially to destroy the transferable capacity. But what is a tax upon transfers, other than the faculty of taking away from the actual proprietor of stock a portion of his principal, whenever his interests or his necessities demand a transfer, in derogation from the full enjoyment of the right to transfer, and from the express promise of the Government to pay to him or his assignee? For it is upon the seller, not upon the buyer, that such a tax will fall. And where is the substantial difference, on the ground of contract, between this and a direct tax upon the fund itself? The value of it is as certainly impaired by the one as by the other.

But shall the proprietor of money in the funds, then, be exempt from his proportion of the burdens which other citizens bear?

This will not be the consequence of the principle. As a consumer, of which his income is the instrument, he will pay his proportion of the taxes on consumption. As a holder of any other species of property procured by that income, or otherwise, which is liable to a tax, he must also contribute his proportion.

But, without undue refinement, the lender of money to the public may be affirmed to have paid his tax when he lends his money.

Relying upon the engagement of the Government, express or implied, that he will receive what is promised him, without defalcation, he is content with a less interest than he would take if subject to any such defalcation, and especially if it was to be arbitrary as to its extent. In this lower rate of interest he may be truly said to pay his tax or to purchase an exemption from it.

Here, also, we find what is decisive on the point of expediency.

If the Government had a right to tax its funds, the exercise of that right would cost much more than it was worth. The money-lender would exact exorbitant premiums, not only as an indemnification for the use which the Government might probably make of its right, and which, in practice, would be likely to be qualified by some regard to equality of contribution, but as an equivalent for insurance against the risk or possibility of a more extensive use. Hence the Government would be likely to pay much more in premiums upon its Loans, than it would draw back in taxes; and the former being supposed but equal to the latter, there would be no advantage in exercising the right.

But it will be, perhaps, more safe to affirm, that there would be no borrowing at all upon such terms. The first precedent of a tax upon the funds might be expected to compel the Government to an express renunciation of the right in every future Loan. Solid capitalists would not be much inclined to adventure their money upon so precarious a footing as is implied in a power of taxing their credits.

These reflections lead readily to an estimate of the impressions which would be produced by the example of an imposition on the funds. Regarded either as a positive breach of contract, or as a deviation from the sound maxims of credit, the effect upon it would be nearly equally fatal. Whatever might be excused to a time of revolution, to a defect of means, or to some extraordinary peculiarity of situation, no excuse would be admitted for a deliberate departure from principles, at a time, too, of national prosperity, in a flourishing state of the finances, after the foundations of a regular system had been laid. The departure would argue an incorrectness, an instability, or a depravity of views, calculated to give a lasting shock to Public Credit.

The United States must, henceforth, tread with the most cautious steps.

A renunciation of the right, in future, might not speedily heal the wound which an example of its exercise had given. Durable suspicion might fasten on the wisdom or the integrity of the

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Government, which might occasion to it no inconsiderable loss and embarrassment, before a course of contrary experience would obliterate them.

The right of a Government to sequester or confiscate property, in its funds, in time of war, involves considerations analogous to those which regard the right of taxing them. Whether the foreigner be, himself, the original lender, or the proprietor of stock, in its constitution transferable without discrimination, he stands upon equal ground with the citizen. He has an equal claim upon the faith of the Government.

In the second case, as the substitute of the original lender, the promise made attaches immediately upon him. Indeed, the certificates which issue upon every transfer, and which may be called the public bonds, designate him as the creditor, and expressly invest him with the correspondent rights.

To sequester or confiscate the stock, is as effectually a breach of the contract to pay, as to absorb it by a tax. It is to annihilate the promise, under the sanction of which the foreigner became a proprietor.

But, does not the general right of war, to seize and confiscate enemy property, extend to the property of the citizens of one nation in the funds of another—the two nations being at war with each other?

Resorting to principle as the guide, this question may, on solid grounds, be answered in the negative.

The right to seize and confiscate individual property, in national wars, excludes all those cases where the individual derives his title from the enemy sovereign or nation: for the right to property always implies the right to be protected and secured in the enjoyment of that property; and a nation, by the very act of permitting the citizen of a foreign country to acquire property within its territory, whether to lands, funds, or to any other thing, tacitly engages to give protection and security to that property, and to allow him as full enjoyment of it as any other proprietor—an engagement which no state of things between the two nations can justly or reasonably affect. Though politically right, that, in wars between nations, the property of private persons, which depend on the laws of their own country, or on circumstances foreign to the nation with which their own is at war, should be subject to seizure and confiscation by the enemy nation; yet it is both politically and morally wrong, that this should extend to property acquired under the faith of the Government, and the laws of that enemy nation.

When the Government enters into a contract with the citizen of a foreign country, it considers him as an individual in a state of nature, and contracts with him as such. It does not contract with him as the member of another society.

The contracts, therefore, with him, cannot be affected by his political relations to that society. War, whatever right it may give over his other property, can give none over that which he derives from those contracts. The character in which they are made with him, the faith pledged to him personally, virtually exempt it.

This principle, which seems critically correct,

would exempt as well the income as the capital of the property. It protects the use as effectually as the thing. What, in fact, is property, but a fiction, without the beneficial use of it? In many cases, indeed, the income or annuity is the property itself. And, though general usage may control the principle, it can only be as far as the usage clearly goes. It must not be extended by analogy.

Some of the most approved publicists, admitting the principle, qualify it with regard to the income of lands, which they say may be sequestered "to hinder the remittance of it to the enemy's country."

But the same authority affirms, that a State at war "does not so much as touch the sums which it owes to the enemy. Everywhere, in case of a war, funds credited to the public, are exempt from confiscation and seizure." These expressions clearly exclude sequestration as well as confiscation.

The former, no less than the latter, would be inconsistent with the declaration that a State at war does not so much as touch the sums which it owes to the enemy, and that funds credited to the public are exempt from seizure. And, on full inquiry, it is believed that the suggestion, thus understood, is founded in fact.

Usage, then, however it may deviate in other particulars, in respect to public funds, concurs with principle in pronouncing, that they cannot rightfully be sequestered in time of war.

The usages of war still savor too much of the ferocious maxims of the times when war was the chief occupation of man. Enlightened reason would never have pronounced, that the persons or property of foreigners, found in a country at the breaking out of a war between that country and their own, were liable to any of the rigors which a state of war authorizes against the persons and goods of an enemy. It would have decreed to them an inviolable sanctuary in the faith of those permissions and those laws, by which themselves and their property had come under the jurisdiction where they were found. It would have rejected the treachery of converting the indulgences and even rights of a previous state of amity, into snares for innocent individuals.

Happily, however, the practice of latter times has left several of those maxims little more than points of obsolete doctrine. They still retain their rank in theory; but usage has introduced so many qualifications, as nearly to destroy their operation.

This appears from the acknowledgment of writers, from the barrenness of modern history in examples of the application of those doctrines, from the opinions known to be generally current in Europe, and from a variety of articles which are constant formulas in treaties of the present century.

The United States are every way interested in the mitigation of the rigor of the ancient maxims of war. They cannot better demonstrate their wisdom, than by their moderation in this respect. Particularly interested in maintaining, in their greatest purity and energy, the principles of credit, they cannot too strictly adhere to all the relaxations of those maxims which favor the rights of creditors. No temporary advantage can compensate for the evils of a different course of conduct.



*Public Credit.*

Credit, public and private, is of the greatest consequence to every country. Of this, it might be emphatically called the invigorating principle. No well informed man can cast a retrospective eye over the progress of the United States, from their infancy to the present period, without being convinced that they owe, in a great degree, to the fostering influence of credit, their present mature growth. This credit has been of a mixed nature, mercantile and public, foreign and domestic. Credit abroad was the trunk of our mercantile credit, from which issued ramifications that nourished all the parts of domestic labor and industry. The bills of credit emitted, from time to time, by the different local Governments, which passed current as money, co-operated with that resource. Their united force, quickening the energies and bringing into action the capacities for improvement of a new country, was highly instrumental in accelerating its growth.

Credit, too, animated and supported by the general zeal, had a great share in accomplishing, without such violent expedients, as, generating universal distress, would have endangered the issue, that Revolution, of which we are so justly proud, and to which we are so greatly indebted.

Credit, likewise, may, no doubt, claim a principal agency in that increase of national and individual welfare since the establishment of the present Government, which is so generally felt and acknowledged, though the true causes of it are not as generally understood. It is the constant auxiliary of almost every public operation; has been an indispensable one in those measures by which our frontiers have been defended; and it would not be difficult to demonstrate, that, in a recent and delicate instance, has materially contributed to the safety of the State.

There can be no time, no state of things, in which credit is not essential to a nation, especially as long as nations in general continue to use it as a resource in war. It is impossible for a country to contend, on equal terms, or to be secure, against the enterprises of other nations, without being able equally with them to avail itself of this important resource; and to a young country, with moderate pecuniary capital, and not a very various industry, it is still more necessary than to countries more advanced in both. A truth not less weighty for being obvious and frequently noticed.

Public credit has been well defined to be, "a faculty to borrow, at pleasure, considerable sums on moderate terms; the art of distributing, over a succession of years, the extraordinary efforts, found indispensable in one; a mean of accelerating the prompt employment of all the abilities of a nation, and even of disposing of a part of the overplus of others."

This just and ingenious definition condenses to a point the principal arguments in favor of public credit, and displays its immense importance.

Let any man consult the actual course of our pecuniary operations, and let him then say whether credit be not eminently useful. Let him imagine the expense of a single campaign in a war with a great European Power; and let him then

pronounce whether credit would not be indispensable. Let him decide whether it would be practicable, at all, to raise the necessary sum by taxes within the year, and let him judge what would be the degree of distress and oppression, which the attempt would occasion to the community. He cannot but conclude, that war, without credit, would be more than a great calamity—would be ruin.

But credit is not only one of the main pillars of the public safety; it is among the principal engines of useful enterprise and internal improvement. As a substitute for capital, it is little less useful than gold or silver, in agriculture, in commerce, in the manufacturing and mechanic arts.

The proof of this needs no labored deduction. It is matter of daily experience in the most familiar pursuits. One man wishes to take up and cultivate a piece of land; he purchases upon credit, and, in time, pays the purchase money out of the produce of the soil improved by his labor. Another sets up in trade; in the credit founded upon a fair character, he seeks, and often finds, the means of becoming, at length, a wealthy merchant. A third commences business as manufacturer or mechanic, with skill, but without money. It is by credit, that he is enabled to procure the tools, the materials, and even the subsistence of which he stands in need, until his industry has supplied him with capital; and, even then, he derives, from an established and increased credit, the means of extending his undertakings.

Among the circumstances which recommend credit, and indicate its importance in the whole system of internal exertion and amelioration, it is impossible to pass, unnoticed, its unquestionable tendency to moderate the rate of interest—a circumstance of infinite value in all the operations of labor and industry.

If the individual capital of this country has become more adequate to its exigencies than formerly, it is because individuals have found new resources in the Public Credit—in the funds to which that has given value and activity. Let Public Credit be prostrated, and the deficiency will be greater than before. Public and Private Credit are closely allied, if not inseparable. There is, perhaps, no example of the one being in a flourishing, where the other was in a bad, state. A shock to Public Credit, would, therefore, not only take away the additional means which it has furnished, but, by the derangements, disorders, distracts, and false principles, which it would engender and disseminate, would diminish the antecedent resources of Private Credit.

The United States possess an immense mass of improvable matter; the development of it, continually making, may be said to enlarge the field of improvement as it progresses; and, though the active capital of the country has, no doubt, considerably increased, it is probable that it does not bear, at present, a much greater proportion to the objects of employment than it has done at any former period. Credit, upon this hypothesis, of every kind, is nearly as necessary to us now, as it ever was. But, at least, it may be affirmed, with



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absolute certainty, that, to a country so situated, credit is peculiarly useful and important.

If the United States observe, with delicate caution, the maxims of credit, as well towards foreigners as their own citizens, in connexion with the general principles of an upright, stable, and systematic administration, the strong attractions which they present to foreign capital will be likely to insure them the command of as much as they may want, in addition to their own, for every species of internal amelioration.

Can it be doubted, that they would derive from this, in a course of time, advantages incomparably greater than any, however tempting, that could partially result from a disregard of those maxims, or from the exercise of a questionable right, which should even appear to derogate from them?

Credit is an entire thing. Every part of it has the nicest sympathy with every other part; wound one limb, and the whole tree shrinks and decays.

The security of each creditor is inseparable from the security of all creditors. The boundary between foreigner and citizen would not be deemed a sufficient barrier against extending the precedent of an invasion of the rights of the former to the latter. The most judicious and cautious would be most apt to reason thus, and would only look for stronger shades of apparent necessity or expediency to govern the extension. And, in affairs of credit, the opinions of the judicious and cautious may be expected to prevail. Hence the Government, by sequestering the property of foreign citizens in the public funds, at the commencement of a war, would impair, at least, if not destroy, that credit which is the best resource in war.

It is in vain to attempt to disparage credit, by objecting to its abuses. What is there not liable to abuse or misuse? The precious metals, those great springs of labor and industry, are also the ministers of extravagance, luxury, and corruption. Commerce, the nurse of agriculture and manufactures, if overdriven, leads to bankruptcy and distress. A fertile soil, the principal source of human comfort, not unfrequently begets indolence and effeminacy. Even liberty itself, degenerating

into licentiousness, produces a frightful complication of ills, and works its own destruction.

It is wisdom, in every case, to cherish whatever is useful, and guard against its abuse. It will be the truest policy of the United States, to give all possible energy to Public Credit, by a firm adherence to its strictest maxims; and yet, to avoid the ills of an excessive employment of it, by true economy and system in the public expenditures; by steadily cultivating peace; and by using sincere, efficient, and persevering endeavors to diminish present debts, prevent the accumulation of new, and secure the discharge, within a reasonable period, of such as it may be, at any time, matter of necessity to contract. It will be wise to cultivate and foster Private Credit, by an exemplary observance of the principles of Public Credit, and to guard against the misuse of the former, by a speedy and vigorous administration of justice, and by taking away every temptation to run in debt, founded in the hope of evading the just claims of creditors.

As an honorable evidence of this disposition, and with a view to quiet the alarms which have been excited, and to silence, forever, a question which can never be agitated without serious inconvenience, the Secretary of the Treasury, in the last place, respectfully submits:

That there be an express renunciation, by law, of all pretension of right to tax the public funds, or to sequester, at any time, or on any pretext, the property which foreign citizens may hold therein.

This will be particularly essential to the success of the plan for converting the foreign into domestic debt; as the present contracts for the Amsterdam and Antwerp debt contain an equivalent stipulation, and there is no prospect that the creditors would consent to a change, but upon the condition of a like stipulation.

In the commencement of this report, it was the intention to submit some propositions for the improvement of the several branches of the public revenue; but it is deemed advisable to reserve this part of the subject for a future communication.

All which is respectfully submitted.

ALEXANDER HAMILTON,  
*Secretary of the Treasury.*

## Public Credit.

A.—Statement of the Domestic Debt of the United States on December 31, 1794.

Description of Debts.	Amount of principal of unfunded Debt.	Six per cent. stock.	Deferred stock.	Three per cent. stock.	Total amount.
Funded Domestic Debt, exclusive of balance due to creditor States, and the amount of said stock which had been purchased or redeemed on the last day of December, 1794	—	\$17,912,138 01	\$8,538,228 97	\$12,275,347 55	\$38,725,714 53
Funded Domestic Debt, to the credit of States, in pursuance of the act of Congress of May 31, 1794	—	2,345,056 00	1,172,528 00	703,516 80	4,221,100 80
Funded Domestic Debt, purchased and redeemed to the last of December, 1794	—	668,700 38	752,190 64	415,415 66	1,836,306 68
Total of Funded Domestic Debt	—	20,925,894 39	10,462,947 61	13,394,280 01	
Funded Assumed Debt, exclusive of what had been purchased or redeemed on the last day of December, 1794	—	7,908,374 19	3,940,808 96	5,994,115 70	17,843,098 85
Funded Assumed Debt, which had been purchased or redeemed on the last day of December, 1794	—	212,482 04	119,808 88	96,444 97	428,715 89
Total of Funded Assumed Debt	—	8,120,836 23	4,060,417 84	6,090,560 67	
Total of Funded Domestic Debt on the last day of December, 1794	—	29,046,730 62	14,523,365 45	19,484,840 68	63,054,936 75
Debt due to foreign officers, for the payment of which provision has been made, and which will pass to the credit of the Sinking Fund:					
Principal, being					
Interest from January 1, 1788, to December 31, 1790	—	186,988 23	—	22,438 58	209,426 81
Registered Debt, on the books of the Treasury, on which dividends have been made	\$167,816 40	111,877 60	55,338 80	30,806 95	198,023 35
Do on which no dividends have been made	42,231 69	28,154 46	14,077 23	17,737 81	59,969 00
Do on the books of Loan officers	4,394 85	2,929 90	1,464 95	2,083 35	6,434 20
Credit on the books of the Treasury	44,920 95	29,947 30	14,973 65	11,925 84	56,846 59
Loan Office certificates, bearing interest on a capital of \$43,500, the specie value being no more than	27,985 00	18,623 34	9,311 66	7,830 00	33,765 00
Loan Office certificates, bearing interest on the specie value	305,859 51	203,906 34	101,953 17	55,054 71	360,914 22
Final settlement certificates, payable to bearer, of all kinds	126,091 00	84,060 67	42,030 33	22,696 38	148,737 38
Indents of interest of all kinds	83,805 00	—	—	83,805 00	83,805 00
Unliquidated claims, as estimated	381,269 00	254,179 34	127,089 66	228,761 40	610,030 40
Estimated amount of the Domestic Debt, at the close of 1794, and of the stock which will be produced when the whole Debt has been funded	1,184,323 40	29,967,397 80	14,890,204 90	19,907,936 00	64,825,538 70

COMPTROLLER'S OFFICE, January 9, 1795.

OLIVER WOLCOTT, Jr., Comptroller.

## Public Credit.

## B.—The Government of France, in account current of principal with the United States.

Dr.		Epoch of September 3, 1794.		Livres.	S.	D.
To balance due the United States at the close of the year 1793, exceeding the interest and instalments then due				2,109,974	18	2
To payments made at the Treasury to May 15, viz:						
April 2	-	-	\$350			
May 15	-	-	20,000			
				\$20,350, at 1815,	112,121	4 2
To payments at the Treasury on May 20 and June 4, viz:						
May 20	-	-	622 81			
June 4	-	-	50,270 00			
				50,892 81, at 1815,	280,401	3 1
To payments at the Treasury, from September 3 to October 30, 1794, at interest from September 3, when the whole sum was subject to the order of the French Minister, \$272,250, at 1815					1,500,000	0 0
					4,002,497	5 5

Cr.		Epoch of September 3, 1794.		Livres.	S.	D.
By the eighth instalment, due on September 3, 1794, of the Loan of eighteen millions				1,500,000	0	0
By account of interest: for a balance of interest due on the 3d of September, on the remaining part of the Loan of eighteen millions				308,406	4	11
Balance due to the United States on September 3, 1794, arising from payments exceeding the interest and instalments demandable by France to that period				2,199,091	0	6
				4,002,497	5	5

Dr.		Epoch of November 4, 1794.		Livres.	S.	D.
To balance due to the United States on September 3, 1794, brought down				2,199,091	0	6
To payments at the Treasury, from November 4 to 13th, 1794, to be at interest from November 4, when the whole sum was subject to the order of the French Minister, \$181,500, at 1815				1,000,000	0	0
				3,199,091	0	6

Cr.		Epoch of November 4, 1794.		Livres.	S.	D.
By the eighth instalment, due on November 4, 1794, of the Loan of ten millions				1,000,000	0	0
By account of interest, for a balance of interest due on the 4th of November, on the remaining part of the Loan of ten millions				102,751	16	0
Balance due to the United States on November 4, 1794, arising from payments exceeding the interest and instalments then demandable by France				2,096,339	4	6
				3,199,091	0	6

Dr.		Epoch of December 31, 1794.		Livres.	S.	D.
To balance due to the United States on November 4, 1794, brought down				2,096,339	4	6

Cr.		Epoch of December 31, 1794.		Livres.	S.	D.
By account of interest, for a balance of interest due on the 31st of December, on the remaining part of the Loan of six millions				284,379	16	8
Balance due to the United States on December 31, 1794, arising from payments exceeding the interest and instalments demandable by France to that period				1,811,959	7	10
				2,096,339	4	6
To balance due to the United States on December 31, 1794, brought down				1,811,959	7	10

Dr.		Epoch of September 3, 1794.		Livres.	S.	D.
To interest on the balance due to the United States at the close of the year 1793, being 2,109,974 livres, 18 sous, and 2 deniers, from January 1, 1794, to September 3 following, is eight months and two days, at 4.706 per cent. per annum, being an average of the interest payable on the French Loans, when obtained						66,748 11 6
To interest on 112,121 livres, 4 sous, 2 deniers, being payments at the Treasury to May						

*Public Credit.*

15, 1794—from May 15 to September 3, is three months and eighteen days, at 4.706 per cent per annum	Livres. S. D.
To interest on 280,401 livres, 3 sous, 1 denier, being payments at the Treasury on May 20 and June 4, 1794—from June 4 to September 3 is two months and twenty-nine days, at 4.706 per cent. per annum	1,582 18 5
To account of principal for the balance of this account	3,262 5 2
	303,406 4 11
	<u>375,000 0 0</u>

CR. *Epoch of September 3, 1794.*

By interest due on September 2, 1774, on 7,500,000, remaining of the Loan of 18,000,000, at 5 per cent. per annum, one year	375,000 0 0
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DR. *Epoch of November 4, 1794.*

To interest on the balance of principal due to the United States on September 3, 1794, being 2,199,091 livres, 0 sous, 6 deniers, from 3d September to November 4, 1794, is two months, at 4.706 per cent. per annum	17,248 4 0
To account of principal for balance of this account	102,751 16 0
	<u>120,000 0 0</u>

CR. *Epoch of November 4, 1794.*

By interest due on November 4, 1794, on 3,000,000, remaining to that period, of the Loan of 10,000,000, at 4 per cent per annum	120,000 0 0
---	-------------

DR. *Epoch of December 31, 1794.*

To interest on the balance of principal due to the United States on November 4, 1794, being 2,096,339 livres, 4 sous, 6 deniers, from November 4 to December 31, 1794, is one month and twenty-seven days, at 4.706 per cent per annum	15,620 3 8
To account of principal for balance of this account	284,379 16 0
	<u>300,000 0 0</u>

CR. *Epoch of December 31, 1794.*

By interest due on December 31, 1794, on the Loan of 6,000,000, at 5 per cent. per annum	300,000 0 0
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### RESULT ON JANUARY 1, 1795.

*The Government of France in account current with the United States, on January 1, 1795.*

DR.

To balance due to the United States on January 1, 1795, arising from payments exceeding the interest and instalments demandable by France to that period	Livres. S. D.
Balance due to the French Government on 1st January, 1795, exclusive of interest on Loans, per credit	1,811,959 7 10
	-12,188,040 12 2
	<u>14,000,000 0 0</u>

CR.

By four instalments of 1,500,000 livres each, on the Loan of 18,000,000, which will be due on the 2d of September, in the years 1796, 1797, and 1798, bearing interest from September 3, 1794, at 5 per cent per annum	6,000,000 0 0
By two instalments of 1,000,000 livres each, on the Loan of 10,000,000, which will be due on the 4th of November, in the years 1795, and 1796, bearing interest from the 4th of November, 1794, at 4 per cent. per annum	2,000,000 0 0
By six instalments, of 1,000,000 livres each, on the Loan of 6,000,000, which will be due in the years 1797, 1798, 1799, 1800, 1801, and 1802, bearing interest from January 1, 1795, at 5 per cent per annum	6,000,000 0 0
	<u>14,000,000 0 0</u>

OLIVER WOLCOTT, Jr, *Comptroller.*

COMPTROLLER'S OFFICE, *January 6, 1795.*

## Public Credit.

C and D.—Statement of interest payable in the year 1794, on Loans effected for account of the United States, at Amsterdam and Antwerp.

Gulders.	Gulders.	Description of Loans.	Gulders s. s.	Rate of exchange per guilder.	Amount in dollars and cents.
		<i>Five per cent. Loans effected at Amsterdam.</i>			
On 4,000,000	-	Of the Loan of 5,000,000, per contracts dated June 11, 1782, at interest from June 1, 1793, to June 1, 1794	200,000 00 00		
On 1,000,000	-	Per contract, dated June 1, 1787, at interest for the same period	50,000 00 00		
On 1,000,000	-	Per contract, dated March 13, 1783, at interest for the same period	50,000 00 00		
	6,000,000	Effected under the late Government.			
On 3,000,000	-	Per contract, dated February 1, 1790, at interest from February 1, 1793, to February 1, 1794	150,000 00 00		
On 2,500,000	-	Per contract, dated March 2, 1791, at interest from March 1, 1793, to March 1, 1794	125,000 00 00		
On 6,000,000	-	Per contract, dated December 14, 1791, at interest, from September 1, 1793, to September 1, 1794	300,000 00 00		
On 1,000,000	-	Being a reloan of the first instalment due on June 1, 1793, on the Loan of 5,000,000, per contracts of June 11, 1782, at interest from June 1, 1793, to June 1, 1794	50,000 00 00		
	12,500,000	Effected under the present Government.			
		<i>Four per cent. Loans effected at Amsterdam.</i>			
On 2,000,000	-	Per contract, dated March 9, 1784, at interest from February 1, 1793, to February 1, 1794	80,000 00 00		
	2,000,000	Effected under the late Government.			
On 3,000,000	-	Per contract, dated December 24, 1791, at interest from January 1, 1793, to January 1, 1794	120,000 00 00		
On 2,950,000	-	Of a Loan of 3,000,000, per contract of August 9, 1792, at interest from June 1, 1793, to June 1, 1794	118,000 00 00		
	5,950,000	Effected under the present Government.			
		<i>Four-and-a-half per cent. Loan effected at Antwerp.</i>			
On 2,050,000	-	Of a Loan of 3,000,000, per contract dated November 30, 1791, from December 1, 1793, to December 1, 1794. Of this Loan, 950,000 have been suppressed	92,250 00 00		
	2,050,000	Effected under the present Government.			
	28,500,000	Commission on payment of interest, at one per cent.	1,335,250 00 00	at 40 cents do	534,100 00
		Amount, exclusive of postage, expenses for advertising, &c.	13,352 10 00	do	5,341 00
			1,348,602 10 00	or dollars	539,441 00

## Public Credit.

Guilders.	Guilders.	Description of Loans.	Amount re- ceived.	Amount of Loans at the same interest.
<i>Five per cent. Loans effected at Amsterdam.</i>				
3,000,000	-	Of the Loan of 5,000,000, per contracts of June 11, 1782, at interest from June 1, 1794	-	Guilders. 3,000,000
1,000,000	-	Per contract of June 1, 1787, at interest from June 1, 1794	-	1,000,000
1,000,000	-	Per contract of March 13, 1788, at interest from June 1, 1794	-	1,000,000
5,000,000	-	Effected under the late Government.	-	-
3,000,000	-	Per contract of February 1, 1790, at interest from February 1, 1794	-	3,000,000
2,500,000	-	Per contract of March 2, 1791, at interest from March 1, 1794	-	2,500,000
6,000,000	-	Per contract of December 14, 1791, at interest from September 1, 1794	-	6,000,000
1,000,000	-	Being a relaan of the first instalment, due on June 1, 1793, on the Loan of 5,000,000, per contracts of June 11, 1782, at interest from June 1, 1794	-	1,000,000
3,000,000	-	Per contract of April 10, 1794, at interest from January 1, 1794	-	3,000,000
15,500,000	-	Effected under the present Government.	-	-
	-	Amount of five per cent. Loans	-	20,500,000
<i>Four per cent. Loans effected at Amsterdam.</i>				
2,000,000	-	Per contract of March 9, 1734, at interest from February 1, 1794	2,000,000	-
	-	To which add premiums and gratifications which will be payable on said Loan	467,500	-
	2,000,000	Effected under the late Government.	2,467,500	-
3,000,000	-	Per contract of December 24, 1791, at interest from January 1, 1794	-	3,000,000
2,950,000	-	Of a loan of 3,000,000, per contract of August 9, 1792, at interest from June 1, 1794	-	2,950,000
5,950,000	-	Effected under the present Government.	-	-
	-	Amount of four per cent. Loans, including premiums and gratifications to amount of 467,500, upon which no interest will be payable, if the premiums shall be discharged within six months after having been drawn	-	8,417,500
<i>Four-and-a-half per cent. Loans effected at Antwerp.</i>				
2,050,000	-	Of a Loan of 3,000,000, per contract dated November 30, 1791, at interest from December 1, 1794.	-	-
	-	(Of this Loan, 950,000 have been suppressed)	-	-
2,050,000	-	Effected under the present Government.	2,050,000	-
	-	Amount of four-and-a-half per cent. Loan	-	-
30,500,000	-	Amount at interest.	-	2,050,000
	-	Amount to be paid	-	80,967,500

COMPTROLLER'S OFFICE, January 6, 1795.

OLIVER WOLCOTT, Jr., Comptroller.

C and D—Continued.—Statement of Loans effected at Amsterdam and Antwerp for account of the United States remaining unpaid on Dec. 31, 1794.

*Public Credit.*

## C &amp; D—Continued.

*Statement of one year's interest on the Foreign Loans effected on a account of the United States, as due on the 31st of December, 1794.*

	Guilders.	Dolla.	Cts.
20,500,000 guilders, amount of five per cent. Loans effected at Amsterdam	1,025,000		
2,050,000 guilders, amount of four and a half per cent. Loan effected at Antwerp	92,250		
7,950,000 guilders, amount of four per cent. Loans effected at Amsterdam	318,000		
30,500,000 amount at interest.			
467,500 guilders, amount of premiums and gratifications to be paid on a Loan of 2,000,000 guilders.			
30,967,500 guilders, amount to be paid for Loans effected at Amsterdam and Antwerp.			
Amount of one year's interest on the Dutch and Antwerp Loans	1,435,250		
Which, at 40 cents per guilder, is		574,100	00
<i>Livres. s. d.</i>			
12,188,040 12 2 balance due to the French Government, at 4.706 per cent. per annum, being an average of interest payable on the French Loan when obtained			
Which, at 18.15 cents per livre, is		104,102	80
Amount of one year's interest on the foreign Loans, as due on the 31st of Dec., 1794		\$678,102	80

*Statement of Interest payable on the Domestic Debt.*

1st. Interest payable by the existing contracts on the Debt, as it stood on the last day of December, 1794 :

On six per cent stock	- \$29,046,730	62	
On the original capital of the debt to foreign officers	- 186,988	23	
	\$29,233,718	85	a 6 per ct. \$1,754,023 13
On three per cent. stock	- 19,484,840	68	
On the interest of the capital due to foreign officers to December 31, 1790	- 22,438	58	
	19,507,279	26	a 3 per ct. 585,218 37
On the unfunded Debt, per statement	- 1,184,323	40	
From which deduct indents of interest, which bear no interest	- 83,805	00	
Unfunded Debt bearing interest	- 1,100,518	40	a 6 per ct. 66,031 10
Total of interest payable annually, by the contract existing at the close of the year 1794			\$2,405,272 60

2d. Interest payable after the year 1800, on the principles of the contract existing at the end of 1794 :

On the deferred stock existing at the end of 1794, being	- \$14,523,365	45	a 6 per ct. \$871,401 92
On the six per cent. stock, as stated above	- 29,233,718	85	a 6 per ct. 1,754,023 13
On the three per cent. stock, as stated above	- 19,507,279	26	a 3 per ct. 585,218 37
On the unfunded Debt, as stated above	- 1,100,518	40	a 6 per ct. 66,031 10
Total of interest which would be payable after the year 1800, on the whole Domestic Debt, on the principles of the existing contract, at the end of 1794			\$3,276,674 52

3d. Interest which would be payable if the whole Domestic Debt was subscribed to the Loan :

On six per cent. stock	- \$29,967,397	80	a 6 per ct. \$1,798,043 86
On three per cent. stock	- 19,967,936	00	a 3 per ct. 599,038 08



*Public Credit.*

Annual interest till the close of the year 1800	-	-	-	-	-	2,397,081	94
Interest on Deferred Debt, which becomes							
six per cent stock after the year 1800	\$14,890,204	90,	a	6	per	ct.	893,412 29
Total interest which would be payable annually, after the year 1800, if the whole Debt was subscribed						\$3,290,494	23

## E.

*View of Sinking Fund, according to plan proposed in the Report.*

Present annual amount of Sinking Fund, supposing the investment of the residue of the surplus of revenue to the end of 1790, and of the arrears of interest on the debt to foreign officers, in the purchase of six per cent. stock, at par, and exonerating the fund from the charge to which it is subject by the last section of the act making provision for the reduction of the Public Debt, viz :

Interest for a year on stock actually purchased and redeemed, to the last of December, 1794, and carried to the credit of the fund	-	-	-	-	-	\$68,225	55
Interest for a year on the principal and arrears of interest, to the end of 1790, on the debt to foreign officers	-	-	-	-	-	11,892	44
Interest for a year on subsequent arrears of interest, not included in the above	-	-	-	-	-	1,547	05
Interest for a year on \$411,659 49, being the unexpended balance of surplus to the end of 1790	-	-	-	-	-	24,699	56
						\$106,364	60
Interest for a year on the Loan Office certificates, bearing interest on the nominal principal which (those certificates being paid off as proposed) would accrue to this fund	-	-	-	-	-	1,911	00
Add this sum, to be appropriated out of the revenue from imports and tonnage, for the redemption of stock, bearing a present interest of six per cent. according to the fifth proposition in the report	-	-	-	-	-	408,134	64
The amount of two per cent. on \$25,820,512 20, being the amount of stock unredeemed, bearing a present interest of six per cent. exclusive of State balances	-	-	-	-	-	\$516,410	24
Dividends on Bank stock, deducting interest on such instalments of the Loan of the Bank as had not accrued in the year 1794	-	-	-	-	-	\$62,500	00
Sum to be paid in addition thereto, on the 1st of January, 1796, out of the revenues from imports and tonnage, for reimbursement of the 4th instalment of the above Loan	-	-	-	-	-	137,500	00
Amount of annual instalments of \$2,000,000 had of the Bank of the United States, pursuant to the 11th section of the act of incorporation	-	-	-	-	-	\$200,000	00

The surplus of the dividends on Bank stock will increase each year \$12,000; the interest, liberated by payment of each annual instalment of principal, and the sum to be paid out of the revenue, will annually decrease in the same ratio.

It will be, after the first year—

On the 1st of January, 1797	-	-	-	\$125,500
On the 1st of January, 1798	-	-	-	113,500
On the 1st of January, 1799	-	-	-	101,500 *
On the 1st of January, 1800	-	-	-	89,500
On the 1st of January, 1801	-	-	-	77,500
On the 1st of January, 1802	-	-	-	65,500

The yearly average of the sums successively payable out of the revenue from imports and tonnage, towards reimbursing the two million Loan, will be - \$101,500 00  
 And the whole Loan being discharged on the 1st of January, 1803, the annual dividend on Bank stock will be liberated from the future payment of interest on the Loan, and will thenceforth yield to the Sinking Fund an annuity liable to the redemption of the deferred stock - 152,500 00  
 Two per centum of \$12,478,837 93, the amount of unredeemed stock, which on the 1st of January, 1801, will bear interest at six per centum per annum, exclusive of State balances, and which will be payable on the 1st of January, 1802, is - 249,576 75

*Public Credit.*

Yearly interest, which, on the 1st of January, 1801, will begin to accrue to the Sinking Fund, in the deferred stock standing to its credit, is \$52,319 97. Further sum necessary for payment of the above two per centum	-	-	-	-	-	197,256 78
						<u>\$249,576 78</u>

This sum of \$197,256 78 will, in the years 1802, 1803, be payable out of the revenues from imports and tonnage. But the yearly dividends on Bank stock, free from charge after the 1st of January, 1803, being

	-	-	-	-	-	\$152,500 00
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The sum thenceforth payable out of the revenues from imports and tonnage, for payment of said two per centum, will be	-	-	-	-	-	44,756 78
Which, together with the yearly interest on deferred stock, being	-	-	-	-	-	52,319 97

Is equal to the amount of redeeming annuity of deferred stock, being	-	-	-	-	-	<u>\$249,576 78</u>
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Hence the permanent appropriations out of the revenue from imports and tonnage, for the redemption of the whole of the unredeemed funded stock, which now bears, and hereafter will bear, an interest of six per centum per annum, exclusive of the stock standing to the credit of certain States, pursuant to the report of the Commissioners, is

For that bearing a present interest	-	-	-	-	-	\$408,134 64
For that bearing a future interest	-	-	-	-	-	44,756 78

Total annual extra appropriation to Sinking Fund, out of the revenues, exclusive of Bank dividends	-	-	-	-	-	<u>\$452,891 42</u>
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The whole of the stock bearing a present rate of interest, will, by this fund, be redeemed in something less than twenty-three years, and the interest then set free, to wit, in the year 1818, will be

	-	-	-	-	-	\$1,631,259 72
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To which add the further appropriation towards principal, as above	-	-	-	-	-	408,134 64
						<u>\$2,039,394 36</u>

This annuity, applied to payments or purchases of the Foreign Debt, on a calculation of five per cent. interest, would, by the 1st of January, 1824, extinguish that Debt, and yield a surplus of

	-	-	-	-	-	\$122,502 29
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The whole of the stock bearing a future interest of six per cent., will, by the fund to be applied to it as above, be also redeemed in something less than twenty-three years from the time of commencing the redemption, that is, by the year 1824, and the interest then set free on that stock, will be

	-	-	-	-	-	\$801,050 24
--	---	---	---	---	---	--------------

The sum appropriated towards the redemption, then also set free, is	-	-	-	-	-	197,256 78
---	---	---	---	---	---	------------

To which, add the sum liberated by the redemption of the present six per cent. stock	-	-	-	-	-	2,039,394 36
And the interest on \$13,745,379 35, being the amount of the Foreign Debt extinguished as above	-	-	-	-	-	638,480 58

There will, therefore, be an annuity of	-	-	-	-	-	<u>\$3,676,181 96</u>
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Thus will the whole of the Foreign Debt be extinguished by the year 1824, and the Sinking Fund will then possess an annuity of

	-	-	-	-	-	\$3,676,181 96
--	---	---	---	---	---	----------------

And a sum, in gross, of	-	-	-	-	-	122,502 29
Together	-	-	-	-	-	<u>\$3,798,684 25</u>

Which, in two years, would more than pay off the whole of the balances to creditor States, and the whole of the unfunded Debt, if not sooner discharged.

So that, supposing the proceeds of the Western lands to be sufficient, by the same time, to redeem the three per cent. stock, the whole of the present Debt of the United States, foreign and domestic, funded and unfunded, may be redeemed by the operation of the provision proposed by the fifth proposition, by the year 1826; and there would revert to the United States a yearly revenue of \$4,435,320 89.

ALEXANDER HAMILTON.

TREASURY DEPARTMENT, *January 17, 1795.*

NOTE.—The calculations in this statement would require, to assure their perfect accuracy, a revision; but it is certain, that any errors it may contain, will be too inconsiderable to affect any important result.

*Public Credit.**F.—Comparative view of annual current Revenue and Expenditure.*

CURRENT REVENUE.		Permanent re- venue.
Nett duties on imports and tonnage, as ascertained 1793 per account of receipts and expenditures for that year	- \$6,087,546 26	
Add product of additional duties on imports laid by the acts of the 5th and 7th of June, 1794, computed on the importations of 1793	- 1,091,872 32	
		\$7,179,418 58
Deduct for extra drawbacks, which would become payable after the year 1793, in consequence of extra importations of certain articles in that year, which were re-exported	- 1,500,000 00	
Deduct amount of temporary duties on imports	- 1,479,626 91	
		2,979,626 91
Permanent duties on imports and tonnage	- 4,199,791 67	
Duties on spirits distilled within the United States, and upon stills	- 400,000 00	
Nett duties on postage of letters, as ascertained in 1793,	- 29,722 16	
Patent fees, as they accrued in the same year	- 660 00	
Dividends of Bank stock beyond the interest payable to Bank in 1793	- 38,500 00	
Add interest of two instalments, which, being paid off, will increase the dividend	- 24,000 00	
		62,500 00
Total permanent revenue	- - - - -	\$4,692,673 83
		Temporary re- venue.
Duties on imports, as stated above	- - - - -	\$1,479,626 91
Estimated product of duties on snuff manufactured, and sugar refined within the United States, carriages for the conveyance of persons, licenses for selling wines and spirits at retail, sales at auction	- - - - -	380,000 00
Total temporary revenue	- - - - -	1,859,626 91
Total annual current revenue	- - - - -	\$6,552,300 74
CURRENT EXPENDITURE.		
Interest on Foreign Debt as stated	- - - - -	\$678,102 80
Deduct interest on instalments of Foreign Debt for 1795, to be paid out of the proceeds of Foreign Loans	- - - - -	39,622 22
		638,480 58
Interest on funded Domestic Debt	- - - - -	2,339,241 50
Interest on unsubscribed Debt, computed according to contract	- - - - -	66,031,10
		\$3,043,753 18
Interest on temporary Loans, for anticipating the revenue	- - - - -	100,000 00
Expenses of the Civil Department, including foreign intercourse	- - - - -	475,249 53
Expenses of the Military Department	- - - - -	1,311,975 29
Including pensions to invalids	- - - - -	85,357 04
		1,397,332 33
Expenses of the Naval Department for a year	- - - - -	411,508 80
Expenses of light-houses and other establishments for the benefit of navigation	- - - - -	24,000 00
		5,481,843 84
Excess of revenue beyond the expenditure	- - - - -	1,070,456 90
		\$6,552,300 74

ALEXANDER HAMILTON, *Secretary of the Treasury.*TREASURY DEPARTMENT, *January 17, 1795.*

## Public Credit.

## SUPPLEMENT TO STATEMENT F.

*View of the probable produce of the additional duties on imports laid by the act of June 7, 1794.*

Articles on which duties are laid by the act of June 7, 1794.	Amount imported in 1792.	Amount imported in 1793.	Rates.	Amount of duties calculated on importation of the two years.	
				1792.	1793.
Coffee, pounds - - -	8,566,441	34,458,178	At 1 cent	\$85,664 41	\$344,581 78
Cocoa, pounds - - -	520,169	1,455,408	At 2 cents	10,403 88	29,108 16
Refined sugar - - -	225,680	400,000	At 5 cents	11,284 00	20,000 00
Clayed sugar - - -	91,237	3,739,775	At 1 cent	912 37	37,397 75
Miscellany, being smaller enumerated articles - -			Various	31,424 18	31,424 18
Articles to which 5 per cent. is added, value - - -	\$4,832,118 51	\$4,832,118 51	5 per cent.	241,605 92	241,605 92
Articles to which 2½ per cent. is added, value - - -	15,510,183 81	15,510,183 81	2½ per cent.	387,754 59	387,754 59
				\$769,048 85	\$1,091,872 32

Difference between 1792 and 1793, is \$322,833 47, which may be justly considered as an extra importation, depending on peculiar and known circumstances of the war in Europe, and which, in all probability, will be wholly drawn back on exportation.

The proceeds of these duties may therefore be thus stated:

Amount computed on the importation of 1792	-	-	-	\$769,048 85
Deduct for usual drawbacks on exportation and expenses of collection, 10 per cent.	-	-	-	76,904 88
Probable nett annual product of additional duties	-	-	-	\$692,143 97

It is to be observed, however, that the considerable additions made upon the miscellaneous articles, and upon refined sugar, will probably have prohibitory effect, and that the items relative to them cannot be much counted upon.

A. H.

*Result, in the year 1796, according to fifth proposition.*

Surplus of revenue brought forward	-	-	-	-	\$1,070,456 90
Increased interest on Foreign Debt	-	-	-	\$67,291 89	
Interest on new emission	-	-	-	4,528 70	
Ten per cent. of arrears of unfunded interest, including indents	-	-	-	48,309 53	
Yearly instalment on account of \$1,000,000 Loan for foreign intercourse	-	-	-	200,000 00	

*Appropriations for Sinking Fund, viz:*

Dividends of Bank stock	-	-	-	\$62,500 00	
Sum payable out of imports and tonnage for redemption of six per cent. stock	-	-	-	408,134 64	
Sum payable on the 1st of January, 1796, towards reimbursing of Bank Loan	-	-	-	137,500 00	
				608,134 64	928,264 76
Balance, being excess of revenue beyond expenditure	-	-	-	-	\$142,192 14

It appears by statement E, that these extra appropriations will, in the progress of the operation, be reduced; and that, including a provision for the redemption of the deferred Debt, the permanent charge on the revenue (exclusive of Bank dividends) for the Sinking Fund, will be no more than \$452,891 42.

A. H.

*Improvement of the Revenue.*

## IMPROVEMENT OF THE REVENUE.

[Communicated to the House of Representatives, February 2, 1795.]

The SECRETARY of the TREASURY respectfully makes the following report to the House of Representatives:

According to the present laws, imposing duties on articles imported into the United States, not much short of one-third of the whole amount of the duties is derived from articles rated *ad valorem*.

In other nations, where this branch of revenue, as with us, is of principal or very considerable consequence, and where no peculiarity of situation has tended to keep the rates of duty low, experience has led to contract more and more the number of articles rated *ad valorem*, and of course to extend the number of those rated specifically, that is, according to weight, measure, or other rule of quantity.

The reason of this is obvious. It is to guard against evasions which infallibly happen, in a greater or less degree, where duties are high. It is impossible for the merchants of any country to have manifested more probity than those of the United States, on this subject; and it is firmly believed, that there never was one in which illicit practices, to the disadvantage of the revenue, have obtained so little as hitherto in this; yet, it would be a delusive expectation, that, with duties so considerable as those which now exist, a disposition will not be experienced, in some individuals who carry on our import trade, to evade the payment of them, and this to an extent sufficient to make it prudent to guard with circumspection, and by every reasonable precaution against the success of such attempts. It is needless to repeat, that this will contribute as much to the interest of the fair trader as to that of the revenue.

It is believed that, in our system, the method of rating *ad valorem* could, with convenience, be brought within a much narrower compass; and it is evident that, to do so, will contribute materially to the security of the revenue.

The Secretary has not hitherto had leisure to digest the details of a plan for this purpose; but, if the idea is approved, it can be carried with due accuracy into effect, at a future session, by an order upon the Head of this Department to prepare, in the mean time, a tariff proportioned to the actual rates of duty.

It may also be found expedient, with a similar view, to adjust anew the proportional rates of duty, of different kinds or qualities, of certain articles. This observation is believed to apply, with particular force, to teas. It would be, in the opinion of the Secretary, advisable to throw them into three classes; to raise somewhat the lowest rate, and to diminish considerably the higher rates. A persuasion is entertained, founded partly upon observation of the course of importations, that a regulation of this kind would benefit the revenue. The same thing might be conveniently extended to some other articles.

Advantages will also accrue from a readjustment of the rates, in certain cases, by combining several rates on the same articles, established by different acts into one rate, and by dismissing inconvenient fractions, which serve to perplex the calculation of the duties. Some alteration in the terms of credit for duties may, it is conceived, be made with advantage. Where four months are allowed, three and six months may be substituted; and three, six, nine, and twelve, or even three, six, nine, twelve, and fifteen, to the cases of six, nine, and twelve months. This will apportion the course of receipts more according to the course of payments, and prevent inconvenient pressures at particular junctures.

The compensations to inspectors, especially in the ports where the expense of living is great, and to collectors and surveyors in the less productive ports, urgently demand revision, in order to an increase of them.

The security of the revenue, in every branch, turns (it will not be too strong to say) principally upon the officers of the lowest grade. Hence, it is a policy no less mistaken than common, to leave those officers without such compensations as will admit of a proper selection of character, and to prevent the temptation, from indigence, to abuse the trust. It is certain that, in many places, the present allowance to inspectors, on the most liberal application of it, is inadequate to those important ends.

A similar reasoning will apply to those officers of the principal grades, who, being in districts which produce little, are ill compensated by the emoluments to which they are at present entitled. It cannot escape, that the safety of the revenue must depend on equal fidelity and due vigilance in all the districts; else it may become in many cases, worth the while to resort to particular districts, because there is a deficiency of the one or the other. Besides, that it is in itself just and proper, that all who are in the public service should receive adequate rewards for their time, attention, and trouble.

The aggregate expense of collecting the duties on impost and tonnage, is at present truly moderate—a circumstance which facilitates the extension of allowances where they are necessary. The system of the revenue culters needs revision. The utility of every institution depends on the competency of the agents who are to execute it. The present compensations to officers and men, compared with what may be obtained in other similar employment, unaided by collateral motives, creates a degree of embarrassment which very much impairs the usefulness of the thing. It would have been, in the judgment of the Secretary, a great mean of rendering it competent to its object, if, as was early suggested by him, the officers of the customs had had rank in the Navy of the United States.

With regard to that branch of revenue which is constituted by the duties upon spirits distilled within the United States, and upon stills, it is believed that it would be an improvement, and one which could be now made without inconveni-

*Improvement of the Revenue.*

ence, to abolish the option to pay by the gallon, of the spirits distilled, in the cases where the duties are charged on the stills. This will leave the alternative of paying by the year, or for less periods, upon licenses, at the choice of the party; an alternative which affords sufficient accommodation to the difference of circumstances. The option to pay by the gallon, of the spirits distilled, according to an account to be rendered on the oath of the party, though expedient in the first experiment of the law, is objectionable, as a permanent regulation, in a double view.

The additional discretionary latitude given to compensations to the officers concerned in the collection of those duties, is restricted to a term which will expire at the end of the next session of Congress. It will be essential to extend it, or to fix the compensations which shall have been allowed. It is believed that further experience will still be useful towards a definite Legislative adjustment.

Embarrassments are experienced from the want of a concurrent authority in these officers, similar to that of the officers of the customs, to make seizures within each other's surveys and divisions. On the borders of such as are adjacent, the officers are exposed to hazard in making seizures, and better opportunities are afforded of escaping detection.

The revenue to result from the act of the last session, laying duties upon licenses to retailers of wines and distilled spirits, may be improved, favorably to proportional equality, by changing the form.

One license, for selling one or more kinds of wines, puts the greatest and the smallest dealer upon the same footing, and is so far inequitable. To class wines into a few obvious and strongly marked discriminations, and to render a license necessary for each class, with a duty upon each license, would favor a just distribution of the tax among great and small dealers, and would, at the same time, benefit the revenue. The classes may be as follows: 1st. Madeira wine. 2d. Sherry wine. 3d. Port wine. 4th. Other wines.

To secure the effect of the discrimination in favor of small dealers, who may be in the practice of selling and sending out different kinds of wines in small quantities, it may be provided that not more than one license shall be necessary to any dealer, who never sells or sends out at any one time more than three gallons. And suitable penalties may be annexed to guard the condition of the exemption.

Similar observations are applicable to licenses to retailers of spirituous liquors. These may be thrown into three classes: 1st. Spirits distilled from the grape, commonly called brandy. 2d. Spirits distilled from the produce of the sugar cane, commonly called rum. 3d. Other distilled spirits; and there may be a like provision in favor of dealers who never sell or send out more than three gallons at one time.

Distillers may be put, in this respect, as to the spirits they distil, upon the same footing with importers; that is, they may be exempt from

the license duty; but it would seem proper to annex these conditions to the exemption, that they shall not sell and send out a less quantity, in one cask, vessel, or package, than ten gallons; and that they shall not deal in the selling at retail of any other spirits than those they themselves distil.

Or, another rule may be adopted, for proportioning the tax to the extent of the dealing; which is, to add to the present rate of the license certain supplemental rates, according to the yearly rent or yearly value, by appraisement, of the house or building in which the retailers of wines or spirituous liquors shall carry on the business.

This has been found, in practice, a convenient, and, upon the whole, an equitable rule of proportion; evidently more so than one license with the same duty to all dealers indiscriminately.

It is a general and a wise national policy, to make these articles of wine and spirits as contributory to the revenue as they can be made; which can only be effected by subdividing the duties upon them in the different stages of their passage to the consumer. The branch under consideration might be an important one. As it is now regulated, it is feared that it may prove of considerable consequence. The confining of the licenses for selling spirituous liquors to foreign spirits, must give great facility to evasions. And it has an unequal operation upon different portions of the community.

It would promote the object of the act, which imposes duties on sales at auction, to allow two-and-a-half per centum to each auctioneer, in lieu of the one per centum allowed by the ninth section of that act. It is believed that the present allowance is insufficient to defray the expense of clerkship incident to a compliance with the requisitions of the law, which cannot be rendered less particular or exact without prejudice to the revenue.

The tax upon snuff, according to a rate per pound, will be liable to very great evasions, without regulations for a close inspection of the course of the business. Dispensing with these, it seems advisable to modify the tax upon a different plan. The proposition to lay it upon the mortar is as good a substitute as has occurred. It appears, upon evidence which is credited, that a snuff mill usually works about one half the year; that is, one hundred and fifty-six working days in a year; and yields, per mortar, of the whole number of mortars contained in a mill, an average of forty-five pounds of snuff per day. It follows, that five hundred and sixty-one dollars and sixty-six cents per mortar, per annum, is the equivalent of the present duty of eight cents per pound. There are objections to this form of the tax; but, as it appears to be generally desired by the manufacturers, it seems advisable to forego them; especially as the present plan demands far more rigorous precautions for the effectual collection of the duty than now exist, or than would be deemed expedient.

A similar difficulty attends the tax upon refined sugar; but a proper substitute for the present plan is not perceived. It will fortify the revenue,

and produce no undue inconvenience to the manufacturer, if he be required to annex a ticket or tickets to each loaf of sugar, specifying the weight in pounds; and to each cask, barrel, keg, box, or other package of refined sugar, specifying the contents and weight in pounds, corresponding certificates or tickets to accompany imported refined sugar. The kinds of tickets to be furnished by the respective supervisors, and accounted to for them. The observance of this regulation to be secured by proper penalties.

The act which lays a duty on carriages for the conveyance of persons, exempts from the duty carriages usually and chiefly employed in husbandry, and in carrying commodities. It is a material defect in this act, as has been already experienced, that it provides no summary mode for determining what carriages are within the exempting description. Now, every disputed case must be the subject of a suit in all the legal forms, which is equally objectionable on the score of delay and expense. It is not perceived that any insurmountable difficulty lies in the way of providing a remedy consistently with a due deference, in the last resort, to the Judiciary authority.

In revenue laws, too much is as great a fault as too little simplicity. It leaves them unprovisional—incapable of execution in a manner convenient either to the public or to individuals. The acts imposing duties on licenses for selling wines and spirituous liquors at retail, and upon sales at auction, authorize allowances not exceeding two-and-a-half per cent. for compensation to officers, and for incidental expenses. The acts laying duties upon carriages for the conveyance of persons, and upon snuff and refined sugar, make no provision for such compensations, or other expenses of collection. It is the opinion of the Secretary that the rate of two-and-a-half per cent. in the two first-mentioned acts is inadequate—that it ought to be extended to five per cent., and that an equal provision should be made for the expense of collection under the two last-mentioned acts.

The restrictions upon officers of the customs, and upon the supervisors and other officers of inspection, with regard to the Public Funds, appear to the Secretary unnecessary and inconvenient—unnecessary, because those officers, having no concern whatever with any branch of public business that respects the management of the funds, can have no official influence upon the policy or execution of the measures which regard them, further than by a punctual collection of the revenues—inconvenient, because it deprives them of a mean of investing any little sums they may save or acquire, in a mode very convenient to men who, from situation, are less liable to avail themselves of other opportunities. If the being stockholders can have any influence upon them as officers, it must be of a kind favorable to the public service, by increasing their personal interest in the exact collection of the revenue. If the idea which dictated the restrictions was, that they might use the public money in speculations in stock, the answer is, that this is not in their power, from the rapidity with which it is transferred to the Treasury: and if it

were practicable for them to divert the public money, and a disposition to do it should in any case exist, it might operate through other channels. In lieu of the restrictions concerning the funds, the employment of public money for private purposes may, if thought necessary, be still further guarded against by penalties. Those restrictions in reference to the immediate officers of the Treasury Department and the Commissioners of Loans are entirely proper, and ought to be maintained; but it is believed that it is not only useless, but injurious, to give them greater extension. The multiplication of restrictions on the public officers will render greater compensations necessary, and be a source of expense to the public.

All which is respectfully submitted.

ALEXANDER HAMILTON,

*Secretary of the Treasury.*

TREASURY DEPARTMENT, January 31, 1795.

NOTE.—Since the conclusion of this Report, the Secretary has learnt that a bill (the progress of which his peculiar situation had prevented his observing) has actually passed the two Houses, for changing the terms of six, nine, and twelve months, into eight, ten, and twelve. This bill, besides interfering disadvantageously with arrangements of the Treasury, founded upon the existing provisions of the laws, will, it is apprehended, tend to increase an inconvenience which the above suggestions are meant to lessen—the too great concentration of mercantile payments. Any accidental derangement of the mercantile body from overtrading or other cause would, in this situation, endanger consequences to the Treasury which it might be difficult to meet by other expedients; whereas, a subdivision into shorter and more numerous periods, by diminishing the effect, would admit, in such cases, of an easy substitute. The merchants themselves are particularly interested in this question; for the reaction upon them of any embarrassment of the Treasury might render that a general and lasting mischief which might otherwise have been only a partial and transient disorder.

## THE NATIONAL DEFENCE.

DEPARTMENT OF WAR, December 10, 1794.

SIR: In obedience to the orders of the President of the United States, I have the honor to submit to the House of Representatives a statement of such difficulties and inconveniences as have occurred in the execution of the act, entitled “An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States.”

I have the honor to be, with great respect, your obedient servant,

H. KNOX, *Secretary of War.*

The SPEAKER of the House of Reps. of the U. S.

The SECRETARY OF WAR, in obedience to the orders of the President of the United States, respectfully submits the following statement of such difficulties and



*The National Defence.*

inconveniences as have occurred in the execution of the act, entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States."

That a difficulty of primary importance appears to oppose the execution of the first section of the before-recited act. The militia are requested to arm and equip themselves at their own expense, but there is no penalty to enforce the injunction of the law.

The subscriber is informed that several States have passed auxiliary laws to the act of Congress. The laws of the following States upon this subject are in his possession, to wit: Massachusetts, New Jersey, Pennsylvania, Maryland, and North Carolina.

The penalties by these for non-equipment and armament appear to be according to the following extracts:

*Massachusetts—passed June 22, 1793.*

"And be it further enacted by the authority aforesaid, That every non-commissioned officer or private of the infantry who shall neglect to keep himself armed and equipped as aforesaid, or who shall on a muster-day, or at any other time of examination, be destitute of, or appear unprovided with the arms and equipments herein directed, (except as before excepted,) shall pay a fine not exceeding twenty shillings, in proportion to the articles of which he shall be deficient, at the discretion of the Justice of the Peace before whom trial shall be had. And all parents, masters, and guardians, shall furnish those of the said militia who shall be under their care and command, with the arms and equipments before-mentioned, under the like penalties for any neglect. And whenever the Selectmen of any town shall judge any inhabitant thereof belonging to the militia unable to arm and equip himself in manner as aforesaid, they shall, at the expense of the town, provide for and furnish such inhabitant with the aforesaid arms and equipments, which shall remain the property of the town at the expense of which they shall be provided. And if any soldier shall embezzle or destroy the arms and equipments with which he shall be furnished, he shall, upon conviction before some Justice of the Peace, be adjudged to replace the article or articles which shall by him be so embezzled or destroyed, and to pay the cost from the process arising against him. And if he shall not perform the same within fourteen days after such adjudication, it shall be in the power of the Selectmen of the town to which he shall belong, to bind him out to service or labor for such term or time as shall, in the discretion of the said Justice, be sufficient to procure a sum of money equal to the value of the article or articles so embezzled or destroyed, and pay cost arising as aforesaid."

*New Jersey—passed June 5, 1793.*

"And if any such militiaman shall appear, when called out to exercise or into service, without a musket or rifle, he shall forfeit and pay the

sum of three shillings and ninepence, and for want of every other of the aforesaid articles, six pence. Each and every man so enrolled as aforesaid, and providing himself with the arms, ammunition, and accoutrements required as aforesaid, shall hold the same exempted from all suits, distress, executions or sales for debt, or the payment of taxes: *Provided always*, That whenever the majors of any battalion shall judge any person enrolled therein unable to arm and equip himself as aforesaid, such person shall not be subject to any fine for not arming; anything herein contained to the contrary notwithstanding."

*Pennsylvania—passed April 11, 1793.*

"*Provided always*, That whenever the field-officers of any regiment shall judge any person enrolled therein unable to arm and equip himself as aforesaid, such person shall not be subject to any fine for not arming; anything herein contained to the contrary notwithstanding."

It does not appear that any specified penalty is imposed by this act on persons neglecting to arm and equip themselves.

*Maryland—passed at November Sessions, 1793.*

"And any non-commissioned officer or matross, in the artillery, and any non-commissioned officer or dragoon, who shall so refuse or neglect to attend on any of the said days, armed and accoutred as aforesaid, (except as before excepted,) shall forfeit a sum not exceeding two-thirds of a dollar per day; and all other non-commissioned officers and privates who shall refuse or neglect to attend, armed and accoutred as herein before directed, (except as before excepted,) shall forfeit and pay one cent per day, unless excused, for appearing without arms and accoutrements, by the commanding officers of their respective companies for the day."

*North Carolina—passed July 18, 1794.*

"And every non-commissioned officer and private who shall fail to appear on the said occasions, shall forfeit for every such failure or neglect, ten shillings; or if appearing, he be not armed and provided in a manner as directed in this act, shall, for such deficiency, forfeit and pay five shillings. And if the officers of a company, or any two of them, after an examination upon oath, shall adjudge any person or persons enrolled as aforesaid, to be incapable of providing and furnishing him or themselves with the arms, ammunition, and accoutrements required by this act, they shall make report thereof to the next battalion court-martial, as the case may be, who may, if it should appear necessary, exempt such person or persons from the fines and forfeitures by this act imposed, until such arms and accoutrements shall be provided and delivered him or them by the court martial, who shall take security for the safe-keeping of such arms and accoutrements, to be returned when required."

But it is certain that, were the penalties greatly enhanced, an insuperable difficulty would occur in obtaining the requisite number of arms in any

*Preservation of Peace with the Indians.*

reasonable period. The numbers comprehended in the act, from eighteen to forty-five years of age, inclusively, deducting the exempts and mariners, may be estimated probably at about four hundred and fifty thousand men. Of these, probably not one hundred thousand are armed as the act requires, although a greater number might be found of common and ordinary muskets without bayonets. The deficiency cannot be supplied from Europe, under the present circumstances. The only solid resource to obtain a supply, is the establishment of manufactories in each State.

The deficiency of arms cannot be more forcibly exemplified than that, to arm the militia lately called into service, estimated at fifteen thousand, the number of ten thousand arms have been issued from the public Arsenals. Loss and injury must be expected to arise upon the articles issued.

No adequate provision appears to be established by the act for securing the obedience of the militia to the call of the Executive of the United States.

It would seem essential that any law which the Congress should pass upon the subject of the militia should contain within itself all the necessary provisions for its complete execution.

The late experiment proves, at least in some parts, that the laws were inefficient; and had it not been for voluntary zeal which came to its aid, the community might have experienced great evils.

It would appear to be essential, that when the militia are in actual service, they ought to be bound by the military code of the United States.

The enrolment of men of the ages specified in the act, notwithstanding the exemptions; holding them responsible for military service, and enforcing the same, appears to be a circumstance which may operate injuriously to the industry and convenience of the community.

Of the returns enjoined by the tenth section of the said act, the following only have been received :

STATES.	From sev'n to forty.	Forty to sixty.	Total.
Massachusetts -	51,428	22,819	77,247
Connecticut -	-	-	15,851
New Jersey -	-	-	25,887
Georgia -	-	-	10,120

Whether the act in question is susceptible of such alterations and amendments, on its present principles, as will secure the advantages to be derived from a well-organized militia, or whether a limited, but a select and efficient corps of militia, formed on a principle of rotation or otherwise, and taken from the classes least injurious to the industry of the community, would not better fulfil that object, and, at the same time, better comport with economy, are questions which the wisdom of Congress alone is competent to decide.

All which is submitted.

H. KNOX, *Secretary of War.*

DEPARTMENT OF WAR, December 10, 1794.

## PRESERVATION OF PEACE WITH THE INDIANS.

The SECRETARY OF WAR respectfully submits to the President of the United States the following observations respecting the preservation of the peace with the Indian Tribes, with whom the United States have formed Treaties.

To retrace the conduct of the Government of the United States towards the Indian tribes, since the adoption of the Constitution, cannot fail to afford satisfaction to every philosophic and humane mind.

A constant solicitude appears to have existed in the Executive and Congress, not only to form treaties of peace with the Indians upon principles of justice, but to impart to them all the blessings of civilized life, of which their condition is susceptible.

That a perseverance in such principles and conduct will reflect permanent honor upon the national character, cannot be doubted. At the same time, it must be acknowledged that the execution of the good intentions of the public is frequently embarrassed with perplexing considerations.

The desires of too many frontier white people, to seize by force or fraud upon the neighboring Indian lands, has been, and still continues to be, an unceasing cause of jealousy and hatred on the part of the Indians, and it would appear, upon a calm investigation, that, until the Indians can be quieted upon this point, and rely with confidence upon the protection of their lands by the United States, no well-grounded hope of tranquility can be entertained.

The encroachment of white people is incessantly watched, and, in unguarded moments, they are murdered by the Indians. Revenge is sought, and the innocent frontier people are too frequently involved as victims in the cruel contest. This appears to be a principal cause of Indian wars. That there are exceptions will not be denied. The passion of a young savage for war and fame is too mighty to be restrained by the feeble advice of the old men. An adequate police seems to be wanting either to prevent or punish the depredations of the unruly. It would afford a conscious pleasure could the assertion be made on our part, that we have considered the murders of Indians the same as the murders of whites, and have punished them accordingly. This, however, is not the case. The irritated passions on account of savage cruelty are generally too keen in the places where trials are had to convict and punish for the killing of an Indian. It is considered as unnecessary to cite instances, although multitudes might be adduced in almost every part of the country, from its first settlement to the present time.

If this view of the inability of both parties to keep the peace be correct, it would seem to follow, as a just consequence, that adequate remedy ought to be provided for an evil of such magnitude.

It is certainly an evil to be involved in hostility.

ties with tribes of savages, amounting to two or three thousand, as is the case Northwest of the Ohio. But this evil would be greatly increased, were a general Indian war to prevail South of the Ohio; the Indian warriors of the Four Nations in that quarter not being much short of fourteen thousand, not to advert to the combinations which a general Indian war might produce with the European Powers, with whom the tribes both North and South of the Ohio are connected.

It seems that our own experience would demonstrate the propriety of endeavoring to preserve a pacific conduct in preference to a hostile one with the Indian tribes. The United States can get nothing by an Indian war, but they risk men, money, and reputation. As we are more powerful and more enlightened than they are, there is a responsibility of national character, that we should treat them with kindness and even liberality. It is a melancholy reflection, that our modes of population have been more destructive to the Indian natives than the conduct of the conquerors of Mexico and Peru. The evidence of this is the utter extirpation of nearly all the Indians in most populous parts of the Union. A future historian may mark the causes of this destruction of the human race in sable colors. Although the present Government of the United States cannot, with propriety, be involved in the opprobrium, yet, it seems necessary, however, in order to render their attention upon this subject strongly characteristic of their justice, that some powerful attempts should be made to tranquilize the frontiers, particularly those South of the Ohio. The situation of the settlements on Cumberland loudly demand the interference and protection of Government. It is true some unauthorized offensive operations have proceeded from thence against the lower Cherokee towns, and victims were sacrificed. Whether these victims were all warriors, or whether women and children were not involved in the destruction, seems to merit inquiry.

Upon the most mature reflection, the subscriber has been able to bestow upon this subject, arising from the experience of several years' observation thereof, he humbly conceives all attempts to preserve the peace with the Indian tribes, will be found inadequate, short of an arrangement somewhat like the following, to wit:

1. That a line of military posts, at such distances as shall be directed, be established upon the frontiers within the Indian boundary, and out of the ordinary jurisdiction of any State, provided consent can be obtained for the purpose from the Indian tribes; that these posts be garrisoned with regular troops under the direction of the President of the United States.

2. That if any murder or theft be committed upon any of the white inhabitants, by an Indian known to belong to any Indian nation or tribe, such nation or tribe shall be bound to deliver him or them up to the nearest military post, in order to be tried and punished by a court-martial, or in failure thereof the United States will take satisfaction upon the nearest Indian town belonging to such nation or tribe.

3. "That all persons who shall be assembled or embodied in arms on any lands belonging to Indians out of the ordinary jurisdiction of any State, or of the Territory South of the Ohio, for the purpose of warring against the Indians, or of committing depredations upon any Indian town, or persons, or property, shall thereby become liable and subject to the rules and articles of war, which are or shall be established for the government of the troops of the United States." This was a section of a bill which the Senate passed the last session, entitled "An act for the more effectual protection of the Southwestern frontiers," but it was disagreed to by the House.

If, to this arrangement the expense should be objected, it is to be remembered that the President of the United States, in pursuance of law, has authorized both the Governor of Georgia and the Governor of the Southwestern Territory to establish a defensive protection, which amounts to a large sum annually.

Posts, therefore, requiring garrisons amounting to one thousand five hundred non-commissioned officers and privates, for the whole Southwestern frontiers, from the St. Mary's to the Ohio, would probably be adequate to this object.

If the posts belonging to the United States and now occupied by the British, North of the Ohio, be soon delivered up, they, with a post at the Miami Villages, and posts of communication down the Wabash on the South, and the Miami river to Lake Erie, on the North, together with a post at Presqu'Isle, would be a pretty adequate protection to the frontier North of the Ohio, and a curb to any Indian tribes, discontented without just cause, which it is presumed will never be afforded by the Government of the United States.

If to these vigorous measures should be combined the arrangement of trade recommended to Congress and the establishment of agents to reside in the principal Indian towns, with adequate compensations, it would seem that the Government would then have made the fairest experiment of a system of justice and humanity, which it is presumed could not possibly fail of being blessed with its proper effects, an honorable tranquility of the frontiers.

All which is respectfully submitted to the President of the United States.

H. KNOX, *Secretary of War.*

DEPARTMENT OF WAR,  
December 29, 1794.

THE MINT.

[Communicated to the House of Representatives February 9, 1795.]

Mr. BOUDINOT, from the committee appointed to examine and report on the state of the Mint, and what further measures are necessary to render the institution more beneficial, made the following report:

That, having attended at the several departments of the Mint, and carefully examined into the present state of the institution, the committee

*The Mint.*

beg leave to make a statement of the effect of their inquiries, under the following heads :

1. The officers of the institution, and their actual duties.
2. The present state and progress of the works.
3. The expenses attending the institution to this time.
4. The improvements yet necessary to render the institution beneficial to the United States.
5. The stock now on hand.
6. The quantity of coin that may be produced when the works are complete.
7. The keeping of the accounts, with the checks necessary to prevent peculation.

1. *As to the Officers of the Mint, and their actual duties.*

The Director, whose duties, besides those contained in the act instituting the Mint, are the general superintendence of the whole business, in all its various departments, the making or approving of all contracts and purchases relative to the institution, determining on the expediency of all improvements, buildings, machines, and whatever may be thought necessary for promoting the utility of the Mint; and, lastly, to inspect all receipts and issues of the Mint, with the accounts of the expenditure, and to draw warrants for the same.

The Assayer.—He assays all metals brought to the Mint, and reports their respective qualities to the Treasurer for his direction. He attends and inspects the Melter and Refiner, and has charge of the bullion jointly with the Treasurer and Chief Coiner. He has, hitherto, also had the care of the melting and refining all the precious metals that have come to the Mint.

The Chief Coiner prepares all the necessary machines belonging to the different branches of coining the several metals directed by law; works all the ingots received from the Melter and Refiner into a proper state for coining, and, when completed, delivers them over to the Treasurer; and, lastly, oversees all the different workmen employed in the coinage, and keeps them in their duty.

The Engraver, whose actual duties are the raising and furnishing all punches that are requisite for the completion of the dies, the engraving and sinking all original dies, and raising all hubs that are struck out of them. He has an assistant occasionally, as the business is urgent.

The Treasurer, whose duty it is to take charge of all bullion received or deposited in the Mint for coinage. He delivers it out as wanted for working, and receives in return all the coins as they are completed from the Chief Coiner. He registers all the qualities of the metals as reported by the Assayer, and pays out all the coins, when completed, on the warrants of the Secretary of the Treasury and Director, makes all payments on account of the Mint, and renders his account every three months to the Treasury of the United States.

The Clerks.—At present there are three clerks; one of them performs all writings relative to the Mint, required of him by the Director and Assay-

er, makes out all orders of the Director, and keeps regular entries of the same. He keeps an account of all bullion received and delivered by the Assayer, acting in the capacity of refiner, and does such out-of-door business, for the use of the Mint, as is required of him by the Director or Assayer. He also keeps an account of the workmen employed, pays them their wages, and procures the necessary materials.

One other is clerk to the Chief Coiner, whose duty it is to keep an account how much and what metal is received by the Chief Coiner from the Treasurer, and of the sum returned in coin. He weighs out daily, the several metals to the proper workmen, and receives it back at night, by weight of which he keeps the proper entries. He makes out the pay rolls for the Director's inspection, on which warrants on the Treasurer are issued. He is present at the payment of the workmen, and takes their receipts. He also keeps the accounts of the contingent expenses attending the institution.

The remaining clerk belongs to the Treasurer, and keeps all accounts relative to his receipts, issues, and expenditures, whether of bullion, coin, or payments. He also weighs the bullion in the first instance, registers the quantity of alloy, and counts the coin issued from the Mint. Each clerk receives a salary of \$500 per annum, except the Treasurer's, who receives from the Director, out of his own salary, an addition of \$200 per annum.

2. *The present state and progress of the works.*

The houses are built on three lots of ground, in Seventh street, between Market and Arch streets, the fee simple of which is vested in the United States, and one in the Northern Liberties, taken by the Director, on a lease of five years, at the trifling rent of 5 shillings per annum.

The works consist of two rolling machines, one for hot and the other for cold metal, worked by four horses, and requiring five hands constantly to attend them while in operation. There is a third, nearly completed, to be appropriated to the smaller coinage. A drawing machine, for the purpose of equalizing the strips for cutting the planchettes, and are worked by the same hands as are last mentioned. Three cutting presses for the planchettes of larger and smaller coins, which are worked by one man each. A milling machine, which is intended to be worked by the horse mill, but at present requires one hand. Three coining presses, with the improvement for supplying and discharging themselves by machinery. Six hands will attend three if in one room. A fourth, for dollars and medals in particular, will be finished in about three months. Two turning lathes for dies, and a boring machine for making holes in the large frames, screws for presses, stakes, rollers, and an infinite variety of instruments and tools necessary to carry on the coinage.

There are, besides, three annealing and one boiling furnace, with two forges, the assay, melting, and refining furnaces.

The nett produce of these works, from the establishment of the Mint to this time, consists of

*The Mint.*

1,087,500 cents, paid into the Treasury of the United States, equal to \$10,875; in silver coins delivered, \$35,165. The future produce, it is said, will be about two hundred thousand cents per month.

The Treasurer has received, in gross silver bullion, from depositors, 116,788 ounces 13 penny-weights, containing alloy, below the standard of the United States, of 24,578 ounces, 7 penny-weights.

Your committee have made a strict inquiry into the causes why the product has not been greater in so long a time as two years and a half from its institution, and find that, in general, the difficulties attending all establishments that are, in their formation and operation, new and uncommon, and which, therefore, require experiments to be made in every step of their progress, have attended this institution. No works of this kind, requiring equal force and equal precision, ever having been made in this country, workmen, those expected to be obtained from Europe, by some means having failed in the different branches, were hard to be got, and many, when engaged, were not masters of their business; the materials were difficult to be obtained; and often proved insufficient for the force required; even bar iron, from the large size required, as well as the castings, caused great delay before they could be had. Oftentimes, when the machinery was finished and set to work, it gave way, and all was to be done over again. All the tools necessary to make the machines were first to be made themselves. Not only the whole machinery, in all its parts, but all the tools necessary for their formation, have been executed at the Mint. This could not be effected by an union of all the proper artisans, each a complete workman in his own department, but, from necessity, was confined to the principal officer of the coining department, who could only proceed from theoretic principles, with the assistance of such workmen as could be procured, to whom most of the machines, however common in Europe, were entirely new. Add to this, that mere theoretic knowledge has produced greater complexity in the system, and of course greater delay and expense, than full practical knowledge would have found necessary.

The Mints in Europe have been gradual in their improvements, and have been of many years' standing. This has had every difficulty to struggle with, and was to be brought to perfection at once, lest our coins should not bear a comparison with those of other nations. Those lately executed are superior to any made in Europe.

The buildings were all to be completed before the works could be begun. The lots on which the same are built, from a principle of economy, were so restricted in size that they are now found to be much too small, and so insufficient as greatly to hinder the several operations and delay the business. It was also a considerable time before an engraver could be engaged, during which the Chief Coiner was obliged to make the dies for himself, and yet the dies are subject to frequent failures by breaking. Great delays have also

taken place for want of a Refiner and Melter, provision for such an office having been wholly omitted in the law instituting the Mint, by which the present stock of copper remains useless and unproductive.

Your committee have been convinced by these facts, as well as from actual observation, that there are substantial reasons exculpatory of the officers of the Mint for the delay attending this undertaking; but they are happy in observing that most of these difficulties are now surmounted, and the future product of the coinage must be very considerable.

3. *The expense attending the institution has been very great, from the necessity and difficulties above alluded to.*

It amounted, on the 30th day of September last, to the following sums, including the standing capital, and copper to be coined into money—

Lands purchased	-	-	-	\$4,266 66
Buildings, apparatus, machines, &c.	-	-	-	22,720 45
Purchase of copper	-	-	-	15,815 51
Salaries to officers	-	-	-	15,591 99
				<hr/>
				\$58,394 61

4. *The improvements yet necessary.*

It would be a very important saving to the public, as well as add great expedition to every part of the machinery, if they could be put in motion by water or steam, instead of manual labor or that of horses. At present water is out of the question, without removing the works out of the city, to which there are many solid objections; but in case the projected canal between the Schuylkill and Delaware should be accomplished, the heavy expense of this institution would be greatly reduced.

It has already been mentioned, as one cause of delay, the omission in the law of provision for a Refiner and Melter, whose duty it should be to take charge of all metals delivered out by the Treasurer, after they have been assayed and refined, and melt them into bars and ingots fit for the rolling machine, when they are to be delivered over to the Chief Coiner. This is a necessary and essential improvement. The law originally contemplated the Assayer as the only officer necessary in this part of the business.

In the European Mints, all metals deposited for coinage, are first brought to the proper standard at the expense of the owner, and by private professional workmen established in that country, independent of the Mint, and therefore no such officer belongs to those institutions; but, in this country, for want of such a private establishment, it becomes a necessary department of the Mint. And although your committee are of opinion that the Assayer might, in point of labor, execute this office, his time not being wholly taken up in his proper department, yet the propriety of positive checks throughout the whole of the business of the Mint, absolutely forbids it. Such an officer must, therefore, be appointed, or the former delays will necessarily accrue. Those would have been greater than they have been had not the Director employed an

*The Mint.*

occasional workman to assist in that part of the operation.

As it is the practice, in all the Mints of Europe, for the owners of bullion to have it refined to the legal standard at their own expense, your committee are of opinion that a reasonable sum from every deposit should be retained by the Treasurer of the Mint as a compensation for refining and melting. This will appear the more reasonable when it is known that the bullion already lodged in the Mint has cost the United States at least £500 for refining.

Your committee further find that the standard fineness of silver directed by law, in the opinion of the officers of the Mint, contains too great an alloy, and will expose the coin to wear black, and, therefore, that the alloy should be reduced.

The English standard of silver coin is 11 ounces, 2 pennyweights of pure silver in the pound Troy.

Spanish coins ought to contain 10 ounces, 15 pennyweights.

French crowns, of the late Government, 10 ounces 17½ pennyweights.

A mean of both is 10 ounces 16½ pennyweights.

One tenth part alloy, which is the standard of the present Government of France, established as a mean between both, leaves 10 ounces 16 pennyweights.

But the standard of the United States is 10 ounces 14 pennyweights, and 19.104 parts. This extreme fractional part of our standard for silver produces great inconvenience, without any advantage, that your committee could discover; and they are, therefore, of the opinion that the mean of 10 ounces 16 pennyweights should be adopted. It has also appeared to your committee that the price of copper is very fluctuating, and may so increase, as, in some degree, it has done since the law for ascertaining the weight of cents, that, when coined and issued, coppersmiths may work them up to considerable advantage. To prevent this growing evil provision should be made, by law, in time to check it. Great complaints are made throughout the United States of the difficulty of obtaining cents when coined. The practice, hitherto, in pursuance of the requisition of the law, has been for the Treasurer of the Mint to pay them over to the Treasurer of the United States, who distributes them among the Banks in this city. This will produce a supply, in time, for the States in the neighborhood of the Mint, but will not give satisfaction to the distant parts of the Union, who pay their equal share of the expense.

Your committee, therefore, are of opinion that it would be a valuable improvement to make provision, by law, for a more general distribution of the cents as they are coined.

##### 5. *The Stock of Metals,*

Now on hand, uncoined, amounts to upwards of fifteen tons of copper, most of which requires refining, and the whole melting into ingots, preparative to rolling. There also yet remains about 35,507 ounces of silver bullion deposited for coining, which must also go through the hands of the Refiner and

Melter before it can be coined; and large quantities are ready to be brought when the Mint is ready for the receipt of it.

##### 6. *The produce of the Works when complete.*

The rolling machines, for large coins, will roll from twelve to fifteen thousand ounces per day; that for small coin about half that quantity.

The drawing machine, for strips, can execute, daily the produce of one rolling machine.

The three cutting presses will each cut from fifteen to eighteen thousand planchettes per day, and the milling machine will also pass them through at the same time, when worked by horses; but, in the present state, will mill about ten thousand.

The three coining presses, when complete, will strike from eight to twelve thousand of the smaller kinds of coin per day; so that, on an average, ten thousand cents, equal to one hundred dollars, may be coined in a day by each press, if all are worked.

##### 7. *The Accounts of the Mint.*

These are kept by the Treasurer, according to the directions, and in the manner pointed out by the Secretary of the Treasury, and appear to your committee to be fully checked for the security of the public against every avenue of deception.

All moneys appropriated for the use of the Mint, and advanced by the Treasury of the United States, are granted in the name of the Treasurer of the Mint, on warrants from the President of the United States on the Secretary of the Treasury, and from him in favor of the Treasurer of the Mint, and are deposited in the Bank of the United States, to the credit of the Treasurer of the Mint, in a separate account.

He receives all claims upon the Mint, in the first instance, and gives them his approbation before they can pass. These are under the heads of

Salaries to officers and clerks.

Wages of laborers.

Incidental and contingent expenses.

Copper purchased for coinage.

The account is then presented to the Director, who examines the same, and issues his warrant on the Treasurer of the Mint for payment. These accounts are rendered quarterly by the Treasurer to the Treasury, where they are subject to their final decision, as well respecting the ordinary expenses of the Mint, as the accounts of bullion and coinage.

The bullion is received by the Treasurer of the Mint, in the first instance, who gives receipts therefor, dated and numbered, progressively, distinguishing, by a different series, those given for silver from those for gold.

These receipts are entered in a register containing two accounts, one for each of the precious metals.

All bullion is inspected by the Assayer, and a few grains of every parcel given him to be assayed, and his certificate of the pure gold or silver in each deposit is returned, to be entered in the register; the Treasurer then computes the

*Proclamation by the President.*

value of the deposit in coin of the United States, which is entered in the register.

The bullion is then delivered to the Chief Coiner, on the warrant of the Director, to the Treasurer of the Mint, who takes his receipt thereon. When coined, the Chief Coiner pays them over, on a like warrant, to the Treasurer of the Mint, and he again to the Treasurer of the United States, on a warrant from the Secretary of the Treasury.

By this system, established by the Treasury Department, all bullion is to be lodged in the vaults of the Mint, and secured under two locks, the keys of which are kept by the Treasurer and Assayer.

When bullion is in the custody of the Chief Coiner, it is to be constantly subject to the inspection of the Assayer, he being responsible for the standard purity of the respective coins; and, when the bullion is not in use, it is to be kept under two locks, the keys of which are to be kept by the Assayer and Chief Coiner.

From every mass of coins, the Treasurer takes three pieces, in the presence of the Assayer, which are secured by him under cover, with seal of the Assayer thereon, for the purpose mentioned in the law.

All coins made on account of individuals are paid by the Treasurer, on the warrant of the Director.

In addition to these checks, all receipts of bullion and delivery of coins are entered into a regular set of books, kept for that purpose.

All the forms of the documents requisite for common use are printed, bound, and issued under indented checks, for the greater public security.

Your committee having thus given a concise state of the Mint, beg leave to recommend the following resolutions:

1. *Resolved*, That provision ought to be made, by law, for the appointment of a Refiner and Melter in the Mint of the United States, whose duty it shall be to take charge of all copper, and silver, and gold bullion, delivered out by the Treasurer of the Mint, after it has been assayed, and reduce it into bars or ingots for the rolling mills, and then to deliver them to the Coiner or Treasurer, as the Director shall judge expedient, and to do and perform all other duties belonging to the office of Refiner and Melter, or which shall be ordered by the Director of the Mint.

2. *Resolved*, That provision ought to be made, by law, authorizing the Treasurer of the Mint to retain two cents per ounce from every deposit of silver bullion below standard, and four cents per ounce for every deposit of gold bullion below the standard, unless the same shall require the operation of the test, then six cents as a compensation for refining and melting the same.

3. *Resolved*, That the gross bullion brought for deposit and coinage to the Mint, shall not be received in smaller quantities than two hundred ounces of silver, and twenty ounces of gold.

4. *Resolved*, That the standard for silver coin, as now established by law, be altered, and made to consist of nine equal ten parts of pure silver, and

one-tenth part of pure copper, being equal to ten ounces sixteen pennyweights of pure silver in one pound Troy.

5. *Resolved*, That the President of the United States be authorized to reduce the weight of the copper coin at his discretion: *Provided*, Such reduction shall not exceed two pennyweights in each cent, and in proportion in each half cent, of which he shall give notice, by proclamation, and report the same to the next session of Congress.

6. *Resolved*, That the Treasurer of the United States be authorized, by law, to distribute, at the public expense, all cents received from the Treasurer of the Mint, by sending them to some one Bank in each State, where any are established, and, where not, to the principal Collector of such State, in proportion to the number of inhabitants of the State, to be by them paid out, for cash, to any person requesting the same, in sums not less than ten dollars value.

7. *Resolved*, That provision ought to be made, by law, enabling the Director and Treasurer of the Mint to give a preference to bullion brought to the Mint, already of or above the standard of the United States, so as not to be prevented coining and issuing the same, although bullion below the standard, and not yet refined, may have been deposited for coinage before it; any thing in any law heretofore passed to the contrary notwithstanding.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

## A PROCLAMATION.

Whereas I have received information that certain persons in violation of the laws have presumed, under color of a foreign authority, to enlist citizens of the United States and others within the State of Kentucky, and have there assembled an armed force for the purpose of invading and plundering the Territories of a nation at peace with the said United States: And whereas such unwarrantable measures, being contrary to the laws of nations and to the duties incumbent on every citizen of the United States, tend to disturb the tranquility of the same, and to involve them in the calamities of war: And whereas it is the duty of the Executive to take care that such criminal proceedings should be suppressed, the offenders brought to justice, and all good citizens cautioned against measures likely to prove so pernicious to their country and themselves, should they be seduced into similar infractions of the laws;

I have, therefore, thought proper to issue this Proclamation hereby solemnly warning every person not authorized by the laws, against enlisting any citizen or citizens of the United States, or levying troops, or assembling any persons within the United States, for the purposes aforesaid, or proceeding in any manner to the execution thereof, as they will answer the same at their peril; and I do also admonish and require all citizens to refrain from enlisting, enrolling, or assembling themselves for such unlawful purposes, and from being in any wise concerned, aiding, or abetting therein,



*Proclamation by the President.*

as they tender their own welfare, inasmuch as all lawful means will be strictly put in execution for securing obedience to the laws, and for punishing such dangerous and daring violations thereof;

And I do moreover charge and require all Courts, magistrates, and other officers, whom it may concern, according to their respective duties, to exert the powers in them severally vested to prevent and suppress all such unlawful assemblages and proceedings, and to bring to condign punishment those who may have been guilty thereof, as they regard the due authority of Government, and the peace and welfare of the United States.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-fourth day of March, one thousand seven hundred and ninety-four, and of the Independence of the United States of America, the eighteenth.

G. WASHINGTON.

By the President: EDM. RANDOLPH.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas combinations to defeat the execution of the laws laying duties upon spirits distilled within the United States, and upon stills, have from the time of the commencement of those laws existed in some of the Western parts of Pennsylvania: And whereas the said combinations, proceeding in a manner subversive equally of the just authority of Government and of the rights of individuals, have hitherto effected their dangerous and criminal purpose; by the influence of certain irregular meetings whose proceedings have tended to encourage and uphold the spirit of opposition; by misrepresentations of the laws calculated to render them odious; by endeavors to deter those who might be so disposed from accepting offices under them, through fear of public resentment and of injury to person and property, and to compel those who had accepted such offices, by actual violence to surrender or forbear the execution of them; by circulating vindictive menaces against all those who should otherwise directly or indirectly aid in the execution of the said laws, or who, yielding to the dictates of conscience, and to a sense of obligation, should themselves comply therewith, by actually injuring and destroying the property of persons who were understood to have so complied; by inflicting cruel and humiliating punishments upon private citizens, for no other cause than that of appearing to be the friends of the laws; by intercepting the public officers on the highways, abusing, assaulting, and otherwise ill treating them; by going to their houses in the night, gaining admittance by force, taking away their papers, and committing other outrages; employing for these unwarrantable purposes the agency of armed handitti disguised in such manner as for the most part to escape discovery: And whereas the endeavors of the Legislature to obviate objections to the said laws, by lowering the

duties and by other alterations conducive to the convenience of those whom they immediately affect, (though they have given satisfaction in other quarters,) and the endeavors of the executive officers to conciliate a compliance with the laws, by explanations, by forbearance, and even by particular accommodations, founded on the suggestions of local considerations, have been disappointed of their effect by the machinations of persons whose industry to excite resistance has increased with every appearance of a disposition among the people to relax in their opposition and to acquiesce in the laws, insomuch that many persons in the said Western parts of Pennsylvania have at length been hardy enough to perpetrate acts which I am advised amount to treason, being overt acts of levying war against the United States; the said persons having on the sixteenth and seventeenth of July last past proceeded in arms (on the second day, amounting to several hundreds) to the house of John Neville, inspector of the revenue for the fourth survey of the district of Pennsylvania, having repeatedly attacked the said house with the persons therein, wounding some of them; having seized David Lenox, marshal of the district of Pennsylvania, who, previous thereto, had been fired upon while in the execution of his duty, by a party of armed men, detaining him for some time prisoner, till, for the preservation of his life and the obtaining of his liberty, he found it necessary to enter into stipulations to forbear the execution of certain official duties touching processes issuing out of a Court of the United States; and having finally obliged the said inspector of the revenue, and the said marshal, from considerations of personal safety, to fly from that part of the country, in order, by a circuitous route, to proceed to the seat of Government; avowing as the motives for these outrageous proceedings an intention to prevent by force of arms the execution of the said laws, to oblige the said inspector of the revenue to renounce his said office, to withstand by open violence the lawful authority of Government of the United States, and to compel thereby an alteration in the measures of the Legislature and a repeal of the laws aforesaid.

And whereas, by a law of the United States, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," it is enacted "that whenever the laws of the United States shall be opposed or the execution thereof obstructed in any State by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by that Act, the same being notified by an Associate Justice or District Judge, it shall be lawful for the President of the United States to call forth the militia of such State to suppress such combinations, and to cause the laws to be duly executed. And if the militia of a State where such combinations may happen shall refuse, or be insufficient to suppress the same, it shall be lawful for the President, if the Legislature of the United States shall not be in session, to call forth and em-

*Proclamation by the President.*

ploy such numbers of the militia of any other State or States, most convenient thereto, as may be necessary; and the use of the militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the ensuing session: *Provided, always,* That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, and previous thereto, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time."

And whereas James Wilson, an Associate Justice, on the fourth instant, by writing under his hand, did, from evidence which had been laid before him, notify to me that "in the counties of Washington and Alleghany, in Pennsylvania, laws of the United States are opposed, and the execution thereof obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshal of that district."

And whereas it is, in my judgment, necessary, under the circumstances of the case, to take measures for calling forth the militia, in order to suppress the combinations aforesaid, and to cause the laws to be duly executed, and I have accordingly determined to do so, feeling the deepest regret for the occasion, but withal the most solemn conviction that the essential interests of the Union demand it—that the very existence of Government, and the fundamental principles of social order, are materially involved in the issue, and that the patriotism and firmness of all good citizens are seriously called upon, as occasion may require, to aid in the effectual suppression of so fatal a spirit.

Wherefore, and in pursuance of the proviso above recited, I, GEORGE WASHINGTON, President of the United States, do hereby command all persons, being insurgents as aforesaid, and all others whom it may concern, on or before the first day of September next, to disperse and retire peaceably to their respective abodes. And I do moreover warn all persons whomsoever against aiding, abetting, or comforting the perpetrators of the aforesaid treasonable acts; and do require all officers and other citizens, according to their respective duties and the laws of the land, to exert their utmost endeavors to prevent and suppress such dangerous proceedings.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the seventh day of August, one thousand seven hundred and ninety-four, and of the Independence of the United States of America the nineteenth.

G. WASHINGTON.

By the President: EDM. RANDOLPH.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,  
A PROCLAMATION.

Whereas, from a hope that the combinations against the Constitution and laws of the United

States, in certain of the Western counties of Pennsylvania, would yield to time and reflection, I thought it sufficient, in the first instance, rather to take measures for calling forth the militia than immediately to embody them; but the moment is now come, when the overtures of forgiveness, with no other condition than a submission to law, have been only partially accepted; when every form of conciliation not inconsistent with the being of Government has been adopted, without effect; when the well-disposed in those counties are unable by their influence and example to reclaim the wicked from their fury, and are compelled to associate in their own defence; when the proffered lenity has been perversely misinterpreted into an apprehension that the citizens will march with reluctance; when the opportunity of examining the serious consequences of a treasonable opposition has been employed in propagating principles of anarchy, endeavoring through emissaries to alienate the friends of order from its support, and inviting enemies to perpetrate similar acts of insurrection; when it is manifest that violence would continue to be exercised, upon every attempt to enforce the laws; when, therefore, Government is set at defiance, the contest being whether a small portion of the United States shall dictate to the whole Union, and, at the expense of those who desire peace, indulge a desperate ambition:

Now, therefore, I, GEORGE WASHINGTON, President of the United States, in obedience to that high and irresistible duty, consigned to me by the Constitution, "to take care that the laws be faithfully executed"—deploring that the American name should be sullied by the outrages of citizens on their own Government; commiserating such as remain obstinate from delusion; but resolved, in perfect reliance on that gracious Providence which so signally displays its goodness towards this country, to reduce the refractory to a due subordination to the law—do hereby declare and make known, that, with a satisfaction which can be equalled only by the merits of the militia summoned into service from the States of New Jersey, Pennsylvania, Maryland, and Virginia, I have received intelligence of their patriotic alacrity, in obeying the call of the present, though painful, yet commanding necessity; that a force, which, according to every reasonable expectation, is adequate to the exigency, is already in motion to the scene of disaffection; that those who have confided, or shall confide in the protection of Government, shall meet full succor under the standard and from the arms of the United States; that those who having offended against the laws have since entitled themselves to indemnity, will be treated with the most liberal good faith, if they shall not have forfeited their claim by any subsequent conduct, and that instructions are given accordingly.

And I do, moreover, exhort all individuals, officers, and bodies of men, to contemplate with abhorrence the measures leading directly or indirectly to those crimes, which produce this resort to military coercion; to check, in their respective spheres, the efforts of misguided or designing men,

*Proclamation by the President.*

to substitute their misrepresentation in the place of truth, and their discontents in the place of stable government; and to call to mind, that as the people of the United States have been permitted, under the Divine favor, in perfect freedom, after solemn deliberation, and in an enlightened age, to elect their own Government, so will their gratitude for this inestimable blessing be best distinguished by firm exertions to maintain the Constitution and the laws.

And, lastly, I again warn all persons, whomsoever and wheresoever, not to abet, aid, or comfort the insurgents aforesaid, as they will answer the contrary at their peril; and I do also require all officers and other citizens, according to their several duties, as far as may be in their power, to bring under the cognizance of the law all offenders in the premises.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

Done at the City of Philadelphia, the 25th day of September, 1794, and of the Independence of the United States of America the nineteenth.

G. WASHINGTON.

By the President:

EDM. RANDOLPH.

BY THE PRESIDENT OF THE UNITED STATES OF  
AMERICA,  
A PROCLAMATION.

When we review the calamities which afflict so many other nations, the present condition of the United States affords much matter of consolation and satisfaction. Our exemption hitherto from foreign war, an increasing prospect of the continuance of that exemption, the great degree of internal tranquility we have enjoyed, the recent confirmation of that tranquility by the suppression of an insurrection which so wantonly threatened it, the happy course of our public affairs in general, the unexampled prosperity of all classes of our citizens—are circumstances which peculiarly mark our situation with indications of the Divine beneficence towards us. In such a state of things it is, in an especial manner, our duty as a people, with devout reverence and affectionate gratitude, to

acknowledge our many and great obligations to Almighty God, and to implore him to continue and confirm the blessings we experience.

Deeply penetrated with this sentiment, I, GEORGE WASHINGTON, President of the United States, do recommend to all religious societies and denominations, and to all persons whomsoever, within the United States, to set apart and observe Thursday, the nineteenth day of February next, as a Day of Public Thanksgiving and Prayer: and on that day to meet together and render their sincere and hearty thanks to the Great Ruler of Nations for the manifold and signal mercies which distinguish our lot as a nation; particularly for the possession of Constitutions of Government which unite, and, by their union, establish liberty with order; for the preservation of our peace, foreign and domestic; for the seasonable control which has been given to a spirit of disorder, in the suppression of the late insurrection; and generally, for the prosperous course of our affairs, public and private; and, at the same time, humbly and fervently to beseech the kind Author of these blessings graciously to prolong them to us—to imprint on our hearts a deep and solemn sense of our obligations to him for them—to teach us rightly to estimate their immense value—to preserve us from the arrogance of prosperity, and from hazarding the advantages we enjoy by delusive pursuits—to dispose us to merit the continuance of his favors, by not abusing them, by our gratitude for them, and by a correspondent conduct as citizens and as men—to render this country more and more a safe and propitious asylum for the unfortunate of other countries—to extend among us true and useful knowledge—to diffuse and establish habits of sobriety, order, morality, and piety; and, finally to impart all the blessings we possess, or ask for ourselves, to the whole family of mankind.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

Done at the city of Philadelphia, the first day of January, 1795, and of the Independence of the United States of America the nineteenth.

G. WASHINGTON.

By the President:

EDM. RANDOLPH.

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pelled sundry vessels belonging to citizens of the French Republic, in the month of June last, to take refuge within the ports of the United States: and whereas, they are liable by law to the payment of foreign tonnage, which, considering the necessity of their case, ought equitably to be remitted to them: Therefore,

*Be it enacted, &c.,* That the duties on the tonnage, to which any of the vessels aforesaid are, or may have been liable, within any of the ports of the United States, be, and are hereby remitted: *Provided, nevertheless,* That the master, owner, or consignee of every such vessel, shall make proof to the proper officer of the port in which such vessel may be, that the said vessel was compelled to leave the said Island of Hispaniola, and to take refuge within the said port, by reason of the calamity aforesaid.

Approved, March 7, 1794.

An Act making appropriations for the support of Government, for the year one thousand seven hundred and ninety-four.

*Be it enacted, &c.,* That, for defraying the expenditure of the Civil List of the United States, for the year one thousand seven hundred and ninety-four, together with the incidental and contingent expenses of the several departments and offices thereof; and for making good deficiencies for the support of the Civil List Establishment; for aiding the fund appropriated for the payment of certain officers of the courts, jurors, and witnesses; for the support of light-houses, and for other purposes, there be appropriated a sum of money not exceeding five hundred and twenty-one thousand four hundred and forty-seven dollars and twenty-four cents; that is to say:

For the compensations granted by law to the President and Vice President of the United States, thirty thousand dollars:

For the like compensations to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of six months continuance, one hundred and eighty-five thousand, eight hundred and ninety dollars:

For the expenses of firewood, stationery, printing-work, and all other contingent expenses of the two Houses of Congress, ten thousand dollars:

For the compensations granted by law to the Chief Justice, Associate Judges, District Judges, and Attorney General, forty-three thousand two hundred dollars:

For defraying the expense of clerks of courts, jurors, and witnesses, in aid of the fund arising from fines, forfeitures and penalties, twelve thousand dollars:

For defraying the expenses of prosecutions for offences against the United States, and for the safe-keeping of prisoners, four thousand dollars:

For compensation to the Secretary of State, clerks, and persons employed in his office, six thousand eight hundred dollars:

For expense of stationery, printing, and all other contingent expenses in the office of the Secretary of State, including the expense which will attend

the publication of the Laws of the first session of the Third Congress, and for printing an edition of the same, to be distributed, according to law, two thousand and sixty-one dollars, and sixty-seven cents:

For making good a deficiency in the appropriation for the year one thousand seven hundred and ninety-three, for extra-services of clerks, in the office of the Secretary of State, in preparing documents for Congress, and for an index to the Laws of the Second Congress, eight hundred dollars:

For compensation to the Secretary of the Treasury, clerks, and persons employed in his office, seven thousand eight hundred and fifty dollars:

For expense of stationery, printing, and all other contingent expenses in the office of the Secretary of the Treasury, five hundred dollars:

For compensation to the Comptroller of the Treasury, clerks, and persons employed in his office, ten thousand two hundred dollars:

For expense of stationery, printing, and all other contingent expenses in the Comptroller's office, eight hundred dollars:

For compensation to the Treasurer, clerks, and persons employed in his office, four thousand one hundred dollars:

For the expense of firewood, stationery, printing, and other contingencies in the Treasurer's office, four hundred dollars:

For compensation to the Auditor of the Treasury, clerks, and persons employed in his office, ten thousand four hundred and fifty dollars:

For expense of stationery, printing, and other contingent expenses in the Auditor's office, five hundred dollars:

For compensation to the Commissioner of the Revenue, clerks, and persons employed in his office, six thousand one hundred and fifty dollars:

For the expenses of stationery, printing, and other contingent expenses in the office of the Commissioner, three hundred dollars:

For compensation to the Register of the Treasury, clerks, and persons employed in his office, fifteen thousand dollars:

For the expenses of stationery, printing, and other contingent expenses in the Register's office, (including books for the public stocks) two thousand dollars:

For the payment of rent for the several houses employed in the Treasury Department, one thousand five hundred and ninety-six dollars and sixty-six cents:

For wood and candles in the several offices of the Treasury Department (except the Treasurer's office) one thousand two hundred dollars:

For compensation to the several Loan Officers, thirteen thousand two hundred and fifty dollars.

For defraying the expenses of the several Loan Offices, for stationery and clerk hire, between the first day of March, and the thirty-first day of December, one thousand seven hundred and ninety-three inclusive, the sum of seventeen thousand three hundred and seventy-seven dollars and seventy-five cents:

For compensation to the Secretary of War,

clerks, and persons employed in his office, seven thousand and fifty dollars:

For expenses of firewood, stationery, printing, and other contingent expenses in the office of the Secretary of War, eight hundred dollars:

For making good a deficiency in the appropriation of the year one thousand seven hundred and ninety-three, for contingent expenses in this office, two hundred and five dollars and seventy-six cents:

For compensation to the Accountant in the War Department, and clerks in his office, four thousand seven hundred dollars:

For contingent expenses in the office of the Accountant to the War Department, four hundred dollars:

For compensation to the following officers of the Mint: the Director, two thousand dollars; the Assayer, one thousand five hundred dollars; the Chief Coiner, one thousand five hundred; the Engraver, one thousand two hundred dollars; the Treasurer, one thousand two hundred dollars; three clerks, at five hundred dollars each, one thousand five hundred dollars:

For defraying the expenses of workmen, for the year one thousand seven hundred and ninety-four, three thousand three hundred and eighty-five dollars:

For the several expenses of the Mint, including the pay of a Refiner, when employed, for gold, silver, and copper, and for the completion of the melting furnaces, two thousand seven hundred dollars:

For replacing a sum of money advanced at the Bank of the United States, for the purpose of an importation of copper, to be coined at the Mint, ten thousand dollars:

For defraying the expenses of copper purchased in the year one thousand seven hundred and ninety-three, seven thousand three hundred and fifty dollars:

For the purchase of copper in the year one thousand seven hundred and ninety-four, seven thousand three hundred and fifty dollars:

For compensations to the Governors, Secretaries, and Judges of the Territory Northwest, and the Territory South of the River Ohio, ten thousand three hundred dollars:

For expenses of stationery, office rent, printing patents for lands, and other contingent expenses in both of the said Territories, seven hundred dollars:

For the payment of sundry pensions granted by the late Government, two thousand three hundred and sixty-seven dollars and seventy-three cents:

For payment of the annual allowance granted by Congress to Baron Steuben, two thousand five hundred dollars:

For the annual allowance to the widow and orphan children of Colonel John Harding, and to the orphan children of Major Alexander Trueman, by the act of Congress of the twenty-seventh of February, one thousand seven hundred and ninety-three, seven hundred and fifty dollars:

For arrearages of pension due to the widow and orphan children of Colonel John Harding, and to the orphan children of Major Alexander Trueman,

to the thirty first of December, one thousand seven hundred and ninety three, six hundred and seventy-five dollars:

For the annual allowance for the education of Hugh Mercer, son of the late Major General Mercer, four hundred dollars:

For the maintenance and repair of light-houses, beacons, piers, stakes, and buoys, twenty thousand dollars:

To make good a deficiency in the appropriation of the year one thousand seven hundred and ninety-two, for the maintenance and repair of light-houses, beacons, piers, stakes, and buoys, four thousand dollars:

For the purchase of hydrometers, for the use of the Officers of the Customs, and Inspectors of the Revenue, one thousand five hundred dollars:

For a balance stated by the Auditor of the Treasury, to be due to the estate of the late Major General Greene, pursuant to the act of Congress, of the twenty-seventh of February, one thousand seven hundred and ninety-two, to indemnify the said estate for a certain bond entered into by him, during the late war, in which is included interest due on the bonds from their dates, to the twelfth of April, one thousand seven hundred and ninety three, thirty-three thousand one hundred and eighty-seven dollars and sixty-seven cents:

For defraying the expense incident to the stating and printing the public accounts, for the year one thousand seven hundred and ninety-three, eight hundred dollars:

For the payment of such demands, not otherwise provided for, as shall have been duly allowed by the officers of the Treasury, five thousand dollars.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the funds following, to wit:

First. The sum of six hundred thousand dollars, reserved by the act making provision for the Debt of the United States.

Secondly. The surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-four.

Approved, March 14, 1794.

An Act making further provision for the expenses attending the intercourse of the United States with foreign nations; and further to continue in force the act, entitled "An act providing the means of intercourse between the United States and foreign nations."

*Be it enacted &c.*, That a sum of one million of dollars, in addition to the provision heretofore made, be appropriated, to defray any expenses which may be incurred, in relation to the intercourse between the United States and foreign nations, to be paid out of any moneys which may be in the Treasury not otherwise appropriated and to be applied under the direction of the President of the United States, who, if necessary, is hereby authorized to borrow the whole, or any part of the said sum of one million of dollars; an account

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of the expenditure whereof, as soon as may be, shall be laid before Congress.

SEC. 2. *And be it further enacted*, That the act, entitled "An act providing the means of intercourse between the United States and foreign nations," passed the first day of July, one thousand seven hundred and ninety, together with the second section of the act, entitled "An act to continue in force, for a limited time, and to amend the act, entitled 'An act providing the means of intercourse between the United States and foreign nations,'" passed the ninth day of February, one thousand seven hundred and ninety-three, shall be continued in force for the term of one year from the passing of this act, and from thence until the end of the next session of Congress thereafter holden, and no longer.

Approved, March 20, 1794.

An Act authorizing a Loan of one million of dollars.

*Be it enacted, &c.*, That the President of the United States be, and he hereby is, authorized and empowered to borrow, on the credit of the United States, if, in his opinion, the public service shall require it, a sum not exceeding one million of dollars, at an interest not exceeding five per centum per annum, reimbursable at the pleasure of the United States, to be applied to such public purposes as are authorized by law, and to be repaid out of the duties on imports and tonnage to the end of the present year; and that it shall be lawful for the Bank of the United States, and the said Bank hereby is authorized and empowered, to make the Loan aforesaid.

Approved, March 20, 1794.

An Act to provide for the defence of certain ports and harbors in the United States.

*Be it enacted, &c.*, That the following ports and harbors be fortified, under the direction of the President of the United States, and at such time or times as he may judge necessary, to wit: Portland, in the District of Maine; Portsmouth, in the State of New Hampshire; Gloucester, Salem, Marblehead, and Boston, in the State of Massachusetts; Newport, in the State of Rhode Island; New London, in the State of Connecticut; New York; Philadelphia; Wilmington, in the State of Delaware; Baltimore, in the State of Maryland; Norfolk and Alexandria, in the State of Virginia; Cape Fear River and Ocracoke Inlet, in the State of North Carolina; Charleston and Georgetown, in the State of South Carolina; and Savannah and St. Mary's in the State of Georgia.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States to employ, as garrisons in the said fortifications, or any of them, such of the troops on the Military Establishment of the United States as he may judge necessary; and to cause to be provided one hundred cannon, of a calibre each to carry a ball of thirty-two pounds weight, and one hundred other cannon, of a calibre each to carry a ball of twenty-four pounds weight, together with the car-

riages and implements necessary for the same, and carriages with the necessary implements for one hundred and fifty other cannon, with two hundred and fifty tons of cannon shot.

SEC. 3. *And be it further enacted*, That it shall be lawful for the President of the United States to receive from any State (in behalf of the United States) a cession of the lands on which any of the fortifications aforesaid, with the necessary buildings, may be erected, or intended to be erected; or, where such cessions shall not be made, to purchase such lands on behalf of the United States: *Provided*, That no purchase shall be made where such lands are the property of a State.

Approved, March 20, 1794.

An Act making appropriations for the support of the Military Establishment of the United States for the year one thousand seven hundred and ninety-four.

*Be it enacted, &c.*, That, for the support of the Military Establishment of the United States, for the year one thousand seven hundred and ninety-four—for repairs, and articles directed to be made and purchased by the President of the United States; for invalid pensioners; for fortifying certain ports and harbors; and for the purchase of cannon, implements, and shot—there be appropriated a sum of money not exceeding one million six hundred and twenty-nine thousand nine hundred and thirty-six dollars and one cent, that is to say:

For the pay of the Legion of the United States, three hundred and three thousand six hundred and eighty-four dollars.

For subsistence, three hundred and twelve thousand five hundred and sixty-seven dollars and seventy-five cents.

For forage, thirty-one thousand six hundred and thirty-two dollars.

For clothing, one hundred and twelve thousand dollars.

For equipments for the cavalry, seven thousand three hundred and fourteen dollars and five cents.

For horses for the cavalry, sixteen thousand dollars.

For bounty to the soldiers, five thousand dollars.

For the Hospital Department, twenty thousand dollars.

For the Ordnance Department, six thousand seven hundred and fifteen dollars and thirty-two cents.

For defensive protection of the frontiers, one hundred and thirty thousand dollars.

For the Indian Department, fifty thousand dollars.

For the Quartermaster's Department, one hundred and fifty thousand dollars.

For contingencies of the War Department, thirty thousand dollars.

For repairs, and articles directed to be made and purchased by the President of the United States, two hundred and two thousand seven hundred and eighty-three dollars and thirty-four cents.

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For invalid pensioners, eighty thousand two hundred and thirty-nine dollars and fifty-five cents.

For fortifying certain ports and harbors of the United States, and purchasing the lands necessary for the erection of the same, seventy-six thousand dollars.

For the purchase of cannon, implements, and shot, ninety-six thousand dollars.

SEC. 2. *And be it further enacted*, That the several appropriations hereinbefore made shall be paid and discharged out of the funds following, to wit: first, the surplus of the sum of six hundred thousand dollars, reserved by the act "making provision for the Debt of the United States," and which will accrue during the year one thousand seven hundred and ninety-four; secondly, the surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-four; and, thirdly, the surplus which may remain unexpended of the moneys appropriated for the use of the War Department, in the year one thousand seven hundred and ninety-three.

Approved, March 21, 1794.

An Act to prohibit the carrying on the slave trade from the United States to any foreign place or country.

*Be it enacted, &c.*, That no citizen or citizens of the United States, or foreigner, or any other person, coming into, or residing within, the same, shall, for himself, or any other person whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, within any port or place of the said United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic in slaves to any foreign country; or for the purpose of procuring from any foreign kingdom, place, or country, the inhabitants of such kingdom, place, or country, to be transported to any foreign country, port, or place whatever, to be sold or disposed of as slaves. And if any ship or vessel shall be so fitted out as aforesaid, for the said purposes, or shall be caused to sail, so as aforesaid, every such ship or vessel, her tackle, furniture, apparel, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned, in any of the Circuit Courts or District Court for the District where the said ship or vessel may be found and seized.

SEC. 2. *And be it further enacted*, That all and every person, so building, fitting out, equipping, loading, or otherwise preparing, or sending away, any ship or vessel, knowing or intending that the same shall be employed in such trade or business, contrary to the true intent and meaning of this act, or any ways aiding or abetting therein, shall severally forfeit and pay the sum of two thousand dollars—one moiety thereof to the use of the United States, and the other moiety thereof to the use of him or her who shall sue for and prosecute the same.

SEC. 3. *And be it further enacted*, That the owner, master, or factor of each and every foreign

ship or vessel, clearing out for any of the coasts or Kingdoms of Africa, or suspected to be intended for the slave trade, and the suspicion being declared to the officer of the customs, by any citizen, on oath or affirmation, and such information being to the satisfaction of the said officer, shall first give bond, with sufficient sureties, to the Treasurer of the United States, that none of the natives of Africa, or any other foreign country or place, shall be taken on board the said ship or vessel, to be transported or sold as slaves, in any other foreign port or place whatever, within nine months thereafter.

SEC. 4. *And be it further enacted*, That, if any citizen or citizens of the United States shall, contrary to the true intent and meaning of this act, take on board, receive, or transport, any such persons as above described in this act, for the purpose of selling them as slaves, as aforesaid, he or they shall forfeit and pay, for each and every person so received on board, transported, or sold, as aforesaid, the sum of two hundred dollars, to be recovered in any Court of the United States, proper to try the same—the one moiety thereof to the use of the United States, and the other moiety to the use of such person or persons who shall sue for and prosecute the same.

Approved, March 22, 1794.

An Act to provide a Naval Armament.

Whereas, the depredations committed by the Algerine corsairs on the commerce of the United States render it necessary that a Naval Force should be provided for its protection:

SEC. 1. *Be it therefore enacted, &c.*, That the President of the United States be authorized to provide by purchase, or otherwise equip and employ, four ships to carry forty-four guns each, and two ships to carry thirty-six guns each.

SEC. 2. *And be it further enacted*, That there shall be employed on board each of the said ships of forty-four guns, one captain, four lieutenants, one lieutenant of marines, one chaplain, one surgeon, and two surgeon's mates; and in each of the ships of thirty-six guns, one captain, three lieutenants, one lieutenant of marines, one surgeon, and one surgeon's mate, who shall be appointed and commissioned in like manner as other officers of the United States are.

SEC. 3. *And be it further enacted*, That there shall be employed in each of the said ships, the following warrant officers, who shall be appointed by the President of the United States, to wit: one sailing-master, one purser, one boatswain, one gunner, one sailmaker, one carpenter, and eight midshipmen; and the following petty officers, who shall be appointed by the captains of the ships respectively, in which they are to be employed, viz: two master's mates, one captain's clerk, two boatswain's mates, one coxswain, one sailmaker's mate, two gunner's mates, one yeoman of the gun room, nine quarter gunners (and for the four larger ships) two additional quarter-gunners, two carpenter's mates, one armorer, one



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steward, one cooper, one master-at-arms, and one cook.

SEC. 4. *And be it further enacted*, That the crews of each of the said ships of forty-four guns shall consist of one hundred and fifty-seamen, one hundred and three midshipmen and ordinary seamen, one sergeant, one corporal, one drum, one fife, and fifty marines: And that the crews of each of the said ships of thirty-six guns shall consist of one hundred and thirty able seamen and midshipmen, ninety ordinary seamen, one sergeant, two corporals, one drum, one fife, and forty marines, over and above the officers herein before mentioned.

SEC. 5. *And be it further enacted*, That the President of the United States be, and he is hereby empowered, to provide by purchase or otherwise, in lieu of the said six ships, a naval force, not exceeding in the whole, that by this act directed, so that no ship thus provided shall carry less than thirty-two guns; or he may so provide any proportion thereof, which, in his discretion, he may think proper.

SEC. 6. *And be it further enacted*, That the pay and subsistence of the respective commissioned and warrant officers, be, as follows: A captain, seventy-five dollars per month, and six rations per day: a lieutenant, forty dollars per month, and three rations per day: a lieutenant of marines, twenty-six dollars per month, and two rations per day; a chaplain, forty dollars per month, and two rations per day; a sailing-master, forty dollars per month, and two rations per day; a surgeon, fifty dollars per month, and two rations per day; a surgeon's mate, thirty dollars per month, and two rations per day; a purser, forty dollars per month, and two rations per day; a boatswain, fourteen dollars per month, and two rations per day; a gunner, fourteen dollars per month, and two rations per day; a sail-maker, fourteen dollars per month, and two rations per day; a carpenter, fourteen dollars per month, and two rations per day.

SEC. 7. *And be it further enacted*, That the pay to be allowed to the petty officers, midshipmen, seamen, ordinary seamen, and marines, shall be fixed by the President of the United States: *Provided*, That the whole sum to be given for the whole pay aforesaid, shall not exceed twenty-seven thousand dollars per month, and that each of the said persons shall be entitled to one ration per day.

SEC. 8. *And be it further enacted*, That the ration shall consist of, as follows: Sunday, one pound of bread, one pound and a half of beef, and half a pint of rice: Monday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese: Tuesday, one pound of bread, one pound and a half of beef, and one pound of potatoes or turnips, and pudding: Wednesday, one pound of bread, two ounces of butter, or, in lieu thereof, six ounces of molasses, four ounces of cheese, and half a pint of rice: Thursday, one pound of bread, one pound of pork, and half a pint of peas or beans: Friday, one pound of bread, one pound of salt fish,

two ounces of butter, or one gill of oil, and one pound of potatoes: Saturday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese. And there shall also be allowed one half pint of distilled spirits per day, or, in lieu thereof, one quart of beer per day to each ration.

SEC. 9. *Provided always, and be it further enacted*, That if a peace shall take place between the United States and the Regency of Algiers, that no further proceedings be had under this act.

Approved, March 27, 1794.

An Act allowing to Major General Lafayette his Pay, and Emoluments, while in the service of the United States.

*Be it enacted, &c.*, That there be allowed to Major General Lafayette the sum of twenty-four thousand four hundred and twenty-four dollars, being the amount of the pay and emoluments of a Major General during the time he was in the service of the United States, and that the same be paid out of any moneys which may be in the Treasury, and not otherwise appropriated.

Approved March 27, 1794.

An Act to provide for the Erecting and Repairing of Arsenals and Magazines, and for other purposes.

SEC. 1. *Be it enacted &c.*, That, for the safe keeping of the military stores there shall be established, under the direction of the President of the United States, three or four Arsenals with magazines, as he shall judge most expedient, in such places as will best accommodate the different parts of the United States. Either or both of the Arsenals heretofore used at Springfield and Carlisle, to be continued as part of the said number, at his discretion: *Provided*, That none of the said Arsenals be erected until purchases of the land necessary for their accommodation be made, with consent of the Legislature of the State in which the same is intended to be erected.

SEC. 2. *And be it further enacted*, That there shall be established at each of the aforesaid Arsenals a National Armory, in which shall be employed one superintendent, and one master-armorier (who shall be appointed by the President of the United States) and as many workmen as the Secretary for the Department of War shall, from time to time, deem necessary, so that the whole number at all the Armories shall not exceed one hundred. And the said superintendents shall each receive as a compensation, seventy dollars per month, and the said master-armoriers each, fifty dollars per month.

SEC. 3. *And be it further enacted*, That there shall be employed an officer, whose duty it shall be (under the direction of the Department of War) to superintend the receiving, safe-keeping, and distribution of the military stores of the United States, and to call to account all persons to whom the same may be entrusted; he shall receive, for his compensation, at the rate of one hundred and twenty-five dollars per month, and

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shall be appointed by the President of the United States.

SEC. 4. *And be it further enacted*, That a sum not exceeding fifty-nine thousand dollars be appropriated for the erecting and repairing of the Arsenal and Magazines aforesaid, and a sum not exceeding twenty-two thousand eight hundred and sixty-five dollars, for defraying the expense of the National Armories for one year; and the further sum of three hundred and forty thousand dollars to be applied under the direction of the President of the United States, in the purchase of arms, ammunition, and military stores; which said several sums shall be paid out of the duties on imports and tonnage, to the end of the present year.

SEC. 5. *And be it further enacted*, That an annual account of the expenses of the National Armories be laid before the Legislature of the United States, together with an account of the arms made and repaired therein.

Approved, April 2, 1794.

An Act transferring, for a limited time, the Jurisdiction of Suits and Offences from the District to the Circuit Court of New Hampshire, and assigning certain duties in respect to Invalid Pensioners, to the Attorney of said District.

SEC. 1. *Be it enacted, &c.*, That all actions commenced, or pending, in the District Court of New Hampshire, be removed to the next Circuit Court to be holden in that District, there to be tried and determined, in the same manner, as if the cognizance of such actions had been originally given to the said Circuit Court: And the said Circuit Court is hereby vested with the cognizance of all actions, crimes, and offences, by the laws now in force, cognizable in the said District Court, and with all the powers and authorities of the said District Court; and any Judge of the Supreme Court of the United States is authorized to do and perform all the duties, by any law of the United States enjoined upon the said District Judge, except as is hereinafter provided; the fees to be the same as in the District Court, in all such cases.

SEC. 2. *And be it further enacted*, That the duties enjoined the District Judges, by the act "to regulate the claims to invalid pensions," be, and the same are hereby transferred, as far as relates to the District of New Hampshire, to the Attorney of the said District, whose duty it shall be to perform the same.

SEC. 3. *And be it further enacted*, That this act shall continue in force until the end of the next session of Congress, or until a new District Judge be appointed in that District, and no longer.

Approved, April 3, 1794.

An Act to authorize the President of the United States in certain cases, to alter the place for holding a session of Congress.

*Be it enacted, &c.*, That, whenever the Congress shall be about to convene, and, from the prevalence of contagious sickness, or the exist-

ence of other circumstances, it would, in the opinion of the President of the United States, be hazardous to the lives or health of the members to meet at the place to which the Congress shall then stand adjourned, or at which it shall be next by law to meet, the President shall be, and he hereby is authorized, by proclamation, to convene the Congress at such other place as he may judge proper.

Approved, April 3, 1794.

An Act to provide for placing Buoys on certain rocks off the Harbor of New London, and in Providence River, and other places.

SEC. 1. *Be it enacted, &c.*, That the Secretary of the Treasury be authorized and directed to cause to be placed Buoys on the rocks called Black Ledge, or Southwest Ledge, Goshen Reef, Bartlett's Reef, and Race Rock, off the harbor of New London, in the State of Connecticut, at an expense not to exceed the sum of twelve hundred dollars; and to cause to be erected a Beacon, and to be placed two Buoys, in the harbor of Portsmouth, in the State of New Hampshire, at an expense not to exceed the sum of three hundred dollars: And, likewise, to cause to be placed in Providence river, in the State of Rhode Island, and in Savannah river, in the State of Georgia, and at the mouth of the same, Buoys, not exceeding ten in number, for each river, and at an expense not to exceed the sum of five hundred dollars for each; the same to be placed in such parts of the said rivers as he may judge most advantageous for the navigation thereof respectively.

SEC. 2. *And be it further enacted*, That there be appropriated and paid out of the moneys arising from the duties on imports and tonnage, the sum of two thousand five hundred dollars for the purpose aforesaid.

Approved, April 5, 1794.

An Act limiting the time for presenting Claims for destroyed Certificates, of certain descriptions.

*Be it enacted, &c.*, That all claims for the renewal of certificates of the unsubscribed Debt of the United States, of the descriptions commonly called "Loan Office Certificates" or "Final Settlements," which may have been accidentally destroyed, shall be forever barred and precluded from settlement or allowance, unless the same shall be presented at the Treasury, on or before the first day of June, in the year one thousand seven hundred and ninety-five.

SEC. 2. *And be it further enacted*, That no claim shall be allowed for the renewal of Loan Office certificates destroyed before the fourth day of March, one thousand seven hundred and eighty-nine, unless the destruction of the same was advertised, according to the resolution of Congress, of the 10th day of May, one thousand seven hundred and eighty; or, before that time, was notified to the office from which the same was issued, nor shall claims be allowed for the renewal of Loan Office certificates, destroyed on or after the said fourth day of March, one thousand seven hundred

and eighty-nine, nor of final settlement certificates, destroyed at any time, unless the destruction of the same was so far made public, as to be known to, at least, two credible witnesses, soon after it happened, and shall have been before the presentation of the claim, as hereinafter provided, advertised for, at least, six weeks successively, in some one of the newspapers of the State in which the destruction happened; and also in some one of the newspapers of the State in which the certificate issued, if that was another State; the advertisement or advertisements, in such case, expressing, with as much precision as possible, the number, date, and amount, of the certificate alleged to have been destroyed, and the name of the person to whom the same was issued, together with the time when, the place where, and the means by which, the same was destroyed.

SEC. 3. *And be it further enacted*, That all claims for the renewal of destroyed certificates, of either of the descriptions aforesaid, not precluded by this act, shall be receivable, with the evidence in support of the same, by the Auditor of the Treasury, until the said first day of June, one thousand seven hundred and ninety-five, and shall, by the accounting officers of the Treasury, be duly examined; and, if satisfactorily supported, the claimants shall be entitled to receive certificates of registered Debt, equal to the specie value of the Loan Office or final settlement certificates so proved to have been destroyed.

Approved, April 21, 1794.

**An Act to establish the Post Office and Post Roads within the United States.**

*Be it enacted, &c.*, That the following be established as post roads, namely: From Passamaquoddy, in the district of Maine, to St. Mary's, in Georgia, by the following route, to wit: From Passamaquoddy, through Machias, Gouldsborough, Sullivan, Trenton, Bluchill, Penobscot, Frankfort, Belfast, Ducktrap, Camden, Thomaston, Warren, Waldoborough, Bristol, Nobleborough, Newcasttle, Wiscasset, Bath, Brunswick, North Yarmouth, Portland, Biddeford, Wells, York, Portsmouth, Newburyport, Ipswich, Salem, Boston, Worcester, Brookfield, Springfield, Hartford, Middletown, New Haven, Stratford, Fairfield, Norwalk, Stamford, New York, Newark, Elizabeth-Town, Bridge-town, Woodbridge, Brunswick, Princeton, Trenton, Bristol, Philadelphia, Chester, Wilmington, Christiana, Elkton, Charlestown, Havre de Grace, Hartford, Baltimore, Bladensburg, Washington, Georgetown, Alexandria, Colchester, Dumfries, Fredericksburg, Bowling Green, Hanover Court House, Richmond, Petersburg, Goldson's, Warrenton, Lewisburg, Raleigh, Aversyborough, Fayetteville, Lumberton, Cheraw Court House, Camden, Columbia, Edgefield Court House, Augusta and Waynesborough, to Savannah, and thence by Newport-bridge and Saint Savilla, to the town of Saint Mary's. From Portland, by New Gloucester, Green, Monmouth, Winthrop, and Hallowhill Courthouse, to Pittstown, on the river Kennebeck. From Portsmouth, by Exeter, Chester,

Amherst, Keene, and Walpole, to Charlestown.—From Chester, by Concord, and Plymouth, to Haverhill. From Exeter to Hampton Falls.—From Salem to Gloucester. From Salem to Marblehead. From Boston to Plymouth, Sandwich, and Falmouth; and from Falmouth to Edgartown, on Martha's Vineyard. From Sandwich to Barnstable and Yarmouth. From Boston to Taunton and New Bedford, and thence to Nantucket. From Boston, to Hartford, in Connecticut, by Dedham, Mendon, and Pomfret. From Boston to Keene. From Boston, through Andover and Haverhill, to Chester. From Taunton to Providence; and from Taunton, by Dighton and Somerset, to Warren. From New Bedford to Newport. From Boston, by Providence, Norwich, New London, Saybrook, and Guilford, to New Haven. From Newport, by Bristol and Warren, to Providence. From Newport, by East Greenwich, to Providence. From Newport, by Westerly and Stonington Point, to New London. From Springfield, by North Hampton, Greenfield, Brattleborough, Westminster, Charlestown, Windsor, Hanover, and Haverhill, to Newbury. From Springfield, by Stockbridge, to Kinderhook. From Brookfield, by North Hampton, Pittsfield, and New Lebanon, to Albany. From Hartford, by New Hartford, through Norfolk, Canaan, Sheffield, and Hillsdale, to the city of Hudson. From Hartford to Norwich. From Hartford, by Middletown, to New London. From Hartford, by Farmington, Harwinton, Litchfield, New Milford, Newton, Danbury, Ridgefield, Poundridge, Salem, North Castle, and White Plains, to New York. From New York, by Peekskill, Fishkill, Poughkeepsie, Rhinebeck, Red Hook, Clermont, Hudson, and Kinderhook, to Albany. From Albany by Lansingburg, Bennington, Manchester, Rutland, Middlebury, and Vergennes, to Burlington, on Lake Champlain. From Rutland to Windsor, in the State of Vermont. From Albany, by Schenectady, Johnston, Connojoharrie, and Whitestown, to Canandorque; and from some convenient point in that line, through Cherry Valley, to the Court House in Cooper's town, in the county of Otsego. From the city of New York, by the most usual route, to Sag Harbor. From Newark or Elizabeth town, by Morristown and Rockaway, to Sussex Court House, and from thence, by Hackett's town and Morristown, to Elizabeth town or Newark. From Woodbridge to Amboy. From Trenton, by Allentown, Monmouth Court House, Shrewsbury and Spotswood, to Brunswick, and from Brunswick by Somerset Court House, New Germantown, Pittston, and Flemington, to Trenton. From Philadelphia, by Bethlehem, Easton, Sussex Court House, Goshen, Wardsbridge, and Kingston, to Rhinebeck. From Bethlehem to Reading. From Philadelphia, by Woodbury, Sweedsborough, and Salem, to Bridgetown, in West New Jersey. From Philadelphia, by Norristown, Pottsgrove, Reading, Lebanon, and Harrisburg, to Carlisle. From Reading to Lancaster. From Philadelphia, by Lancaster, Yorktown, Carlisle, Shippensburg, Chambersburg, Bedford, and Greensburg, to Pittsburg. From Pittsburg, by

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Washington, in Pennsylvania, West Liberty, in Virginia, and Wheeling, on the Ohio, to Limestone and Fort Washington. From Limestone, by Bourbontown, Lexington, Frankfort, and Harrodsburg, to Danville, in Kentucky. From Danville, by Bardstown, to Louisville. From Yorktown, in Pennsylvania, by Hanover, Petersburg, and Tawny town, to Fredericktown, in Maryland, and thence to Leesburg, in Virginia. From Wilmington, in the State of Delaware, New Castle, Cantwell's bridge, and Duck Creek, to Dover; and, from thence, by Frederica, Millford, Daggsborough, Snowhill, Horntown, and Accomack Court House, to Northampton Courthouse, and thence, to Norfolk, Hampton, or Yorktown. From Philadelphia, by Wilmington, Middletown, Warwick, George town, Cross Roads, Chester town, Chester Mills, Easton, Vienna and Salisbury, to Snowhill; and from Snowhill to Princess Ann, and thence to Salisbury; and from Chestertown to Baltimore, at all times, when a stage passes between those two places. From Elkton to Warwick. From Harford to Bel Air. From Baltimore to Annapolis, Upper Marlborough, Piscataway, Port Tobacco, Allen's Fresh, Newport, and Chaptico, to Leonard town. From Baltimore to Yorktown, in Pennsylvania. From Baltimore, by Frederick town and Hager's town, to Chambersburg. From Hager's town, by Sharpsburg, to Shepherd's town. From Frederick town, by Peterstown, and Montgomery Court House, to Georgetown, on the Potomac. From Hager's town, by Hancock, Oldtown, Cumberland, Morgantown, in Virginia, and Uniontown, in Pennsylvania, to Brownsville, on the Monongahela.—From Alexandria, by Salisbury, Leesburg, Shepherdstown, Martinsburg, Winchester, Stevensburg, Strasburg, Woodstock, and Rockingham Court House, to Staunton. From Fredericksburg, by Port Royal, to Tappahannock; thence across the Rappahannock, to Richmond Court House, Westmoreland Court House, Kinsale, on Yeocomico, and Northumberland Court House, to Lancaster Court House, thence re-crossing the Rappahannock to Urbana, and from Urbana to Gloucester Court House. From Fredericksburg, by Culpepper and Orange Court Houses, to Charlottesville. From Richmond, by New Castle, Aylett's Warehouse, and Todd's bridge, to Rappahannock. From Richmond, by Williamsburg, York town and Hampton, to Norfolk. From Richmond, by Columbia and Charlottesville, to Staunton, thence to Lexington, Fincastle, Montgomery Court House, Wythe Court House, and Abingdon, to Jonesborough, in the territory southwest of the Ohio, thence by Greensville, and Jefferson Court House, to Knoxville. From Staunton to Bath Court House, thence to the Sweet Springs, and thence to Greenbrier Court House. From Richmond, by Powhatan Court House, Cumberland Court House, Prince Edward Court House, Lynchburg, New London, and Liberty, to Fincastle. From Prince Edward Court House, by Charlotte Court House, Halifax Court House, and Pittsylvania Court House, to Martinsburg, and thence to Bethania. From Martinsburg to

Liberty. From Osborne's to Bermuda Hundred. From Petersburg, by Cabin Point, Smithfield and Suffolk, to Portsmouth and Norfolk. From Smithfield, by Southampton Court House to Greenville Court House. From Petersburg to Halifax, in North Carolina. From Goldsboro's, by Saint Tammany's and Mecklenburg Court House, to Halifax Court House, in Virginia. From Suffolk, by Edenton, Plymouth, Washington, and Newbern, to Wilmington. From Plymouth to Windsor.—From Edenton, by Hertford, Nixonton, Sawyer's Ferry, in Camden county, to Indiaa town, in Currituck county. From Halifax to Princeton and Murfreesborough, on Meherrin river, thence to Winton, on Chowan river, and thence by the bridge on Bennett's creek, to R. Mitchell's, which is on the post road from Suffolk to Edenton. From Halifax, by Blountsville, Williamston and Dailey's, to Plymouth. From Halifax, by Warrenton, Oxford, Hillsborough, Martinville, and Salem, to Salisbury. From Salisbury, by Cabarras Court House, to Charlotte, to return by Iredell Court House to Salisbury. From Salisbury to Fayetteville, to go and return by the following route, alternately: by Montgomery, Anson, and Richmond Court Houses, to Fayetteville, thence by Moore and Randolph Court Houses, back to Salisbury. From Halifax, by Tarborough and Greenville, to Washington, and from Tarborough to Lewisburg. From Newbern, by Kinston, Waynesborough and Smithfield, to Raleigh. From Raleigh, by Chapel Hill, to Hillsborough, and from Chapel Hill to Chatham Court House. From Hillsborough, by Person Court House, Caswell Court House, and Rockingham Court House, to Germantown. From Fayetteville to Wilmington; the mail to go alternately by Elizabethtown and return by South Washington, the cross roads near Duplin Court House and Sampson Court House. From Salem, by Bethania, Huntsville, Rockford, and Wilkes, to Morgantown, in North Carolina, and from Morgantown, by Lincolnton, to Pinckney Court House, in South Carolina.—From Cheraw Court House to Georgetown.—From Camden, by Statesburg, to Charleston.—From Charleston, by Coosawatchy, to Sister's Ferry, on Savannah river, and thence to the post road from Augusta to Savannah, and from Coosawatchy to Beaufort. From Columbia, by Orangeburg, to Charleston. From Columbia to Newbury Court House and Laurens Court House, to Greenville Court House. From Edgefield Court House to Cambridge, and thence, by Abbeville Court House, to Pendleton Court House. From Columbia, by Winnsborough, Pinckney Court House, Spartan Court House, and Greenville Court House, to Washington Court House. From Washington Court House, by Pendleton Court House, to Hatton's ford, on Tugelo river; and thence by Franklin Court House, Elberton and Petersburg, to Washington, in Georgia. From Augusta to Washington, thence to Greenborough, and thence by the great falls of Ogechee and George town, to Augusta. *Provided*, That, until the Postmaster General shall have made provision for the regular transportation of the mail from

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Wheeling to Limestone, the present post-road from Abingdon to Danville, in Kentucky, shall be continued; and if such provision cannot be made within a reasonable time, then the post-road shall be extended from Danville to Frankfort, and Lexington, and thence to Washington.

SEC. 2. *And be it further enacted*, That it shall be lawful for the Postmaster General to provide, by contract, for the carriage of a mail on any road on which a stage-wagon, or other stage-carriage, shall be established, on condition that the expense thereof shall not exceed the revenue thence arising.

It shall also be lawful for the Postmaster General to enter into contracts, for a term not exceeding eight years, for extending the line of posts, and to authorize the persons, so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances established by this act, all the postage which shall arise on letters, newspapers magazines, pamphlets, and packets, conveyed by any such post. And the roads designated in such contracts shall, during the continuance thereof, be deemed and considered as post-roads within the provisions of this act: And a duplicate of every such contract, shall, within sixty days after the execution thereof, be lodged in the office of the Comptroller of the Treasury of the United States.

SEC. 3. *And be it further enacted*, That there shall be established, at the Seat of Government of the United States, a General Post Office; and there shall be one Postmaster General, who shall have authority to appoint an Assistant and Deputy Postmasters at all such places, as he shall find necessary; and he shall provide for carrying the mail of the United States, by stage carriages or horses, as he may judge most expedient; and as often as he, having regard to the productiveness thereof, as well as other circumstances, shall think proper, and defray the expense thereof, with all other expenses arising on the collection and management of the revenue of the Post Office. He shall also have power to prescribe such regulations to the deputy postmasters, and others employed under him, as may be found necessary, and to superintend the business of the Department, in all the duties that are or may be assigned to it, and also to direct the route or road, where there are more than one, between the places above established, which route or road shall be considered as the post-road.

SEC. 4. *And be it further enacted*, That the Postmaster General shall, once in three months, obtain from his deputies the accounts and vouchers of their receipts and expenditures, and the balance due thereon, and render to the Secretary of the Treasury a quarterly account of all the receipts and expenditures in the said Department, to be adjusted and settled, as other public accounts; and shall pay quarterly into the Treasury of the United States, the balance in his hands; and the Postmaster General, and his assistants, the Deputy Postmasters, and such as they may employ in their offices, before they enter upon their duties, or be

entitled to receive the emoluments of their offices, and the contractors for carrying the mail, and their agents or servants, and all others to whom the mail shall be intrusted, before they commence the execution of the said trust, shall, respectively, take and subscribe, before some Justice of the Peace, the following oath or affirmation, and cause a certificate thereof to be filed in the office of the Postmaster General:—"I do swear (or affirm, as the case may be,) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the law, in relation to the establishment of Post Offices and Post Roads within the United States."

SEC. 5. *And be it further enacted*, That if any person should obstruct or retard the passage of the mail, or of any horse or carriage carrying the same, he shall, upon conviction for every such offence, pay a fine of not exceeding one hundred dollars; and if any ferryman shall, by wilful negligence or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for each half hour that the same shall be so delayed, a sum not exceeding ten dollars.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Postmaster General to give public notice, in one or more of the newspapers published at the Seat of Government of the United States, and in one or more of the newspapers published in the State or States, where the contract is to be performed, for at least six weeks before the entering into any contract for the conveyance of the mail, that such contract is intended to be made, and the day on which it shall be concluded, describing the places from; and to which such mail is to be conveyed; the time at which it is to be made up; the day and hour at which it is to be delivered, and the penalty or penalties for non-performance of the stipulations; he shall, moreover, within thirty days after the making of any contract, lodge the same, together with the proposals, which he shall have received respecting it, in the office of the Comptroller of the Treasury of the United States: *Provided*, That no contract shall be entered into for a longer term than four years.

SEC. 7. *And be it further enacted*, That every Deputy Postmaster shall keep an office, in which one or more persons shall attend, at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof; and all letters, brought to any Post Office half an hour before the time of making up the mail at such office, shall be forwarded therein, except at such Post Offices, where, in the opinion of the Postmaster General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall in no case exceed one hour.

SEC. 8. *And be it further enacted*, That, from and after the first day of June next, the Postmaster General shall be allowed, for his services, at the rate of two thousand four hundred dollars per annum, his assistant, at the rate of one thousand two hundred dollars per annum, and the Postmaster General shall be allowed four clerks, whose compensation shall be regulated in such manner

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as not to exceed five hundred dollars per annum to each: All the above mentioned compensations to be paid quarterly out of the revenues of the Post Office; and no fees or perquisites shall be received by any person employed in the general Post Office, on account of the duties to be performed, in virtue of his appointment.

SEC. 9. *And be it further enacted*, That the Deputy Postmasters, and persons authorized by the Postmaster General, shall demand and receive for the conveyance of letters and packets, except such as are hereinafter excepted, the following rates of postage: For every single letter conveyed by land, not exceeding thirty miles, six cents; over thirty miles, and not exceeding sixty, eight cents; over sixty, and not exceeding one hundred, ten cents; over one hundred miles, and not exceeding one hundred and fifty, twelve cents and a half; over one hundred and fifty miles, and not exceeding two hundred, fifteen cents; over two hundred miles, and not exceeding two hundred and fifty, seventeen cents; over two hundred and fifty miles, and not exceeding three hundred and fifty, twenty cents; over three hundred and fifty miles, and not exceeding four hundred and fifty, twenty-two cents; and more than four hundred and fifty miles, twenty-five cents; and for every double letter, double the said rates; for every triple letter, triple; and for every packet, weighing one ounce Avoirdupois, at the rate of four single letters; and in that proportion for any greater weight.

SEC. 10. *And be it further enacted*, That, for all letters and packets passing by sea to and from the United States, or from one port to another therein, in packet boats or vessels, the property of, or provided by the United States, postage shall be charged as follows: For every single letter, eight cents; for every double letter, sixteen cents; for every triple letter, or packet, twenty-four cents; and for every letter or packet brought into the United States, or carried from one port therein to another, by sea, in any private ship or vessel, four cents, if delivered at the place where the same shall arrive; and if directed to be delivered at any other place, with the addition of like postage, as other letters are made subject to the payment of, by this act.

SEC. 11. *And be it further enacted*, That if any Deputy Postmaster, or other person authorized by the Postmaster General to receive the postages of letters, shall fraudulently demand or receive any rate of postage, or any gratuity or reward, other than is provided by this act, for the postage of letters or packets, on conviction thereof, he shall forfeit, for every such offence, one hundred dollars, and shall be rendered incapable of holding any office or appointment under the United States.

SEC. 12. *And be it further enacted*, That no ship or vessel, arriving at any port within the United States, where a Post Office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the Postmaster, all letters directed to any person or persons, within the United States, which, under his care, or within his power, shall be brought in such ship or vessel, except such as

are directed to the owner or consignee of the ship or vessel, and except also such as are directed to be delivered at the port of delivery, to which such ship or vessel may be bound. And it shall be the duty of the Collector, or other officer of the port, empowered to receive entries of ships or vessels, to require from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid.

SEC. 13. *And be it further enacted*, That the Postmasters, to whom such letters may be delivered, shall pay to the master, commander, or other person, delivering the same, except the commanders of foreign packets, two cents for each letter or packet, and shall obtain from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed, which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster General, who shall credit him with the amount.

SEC. 14. *And be it further enacted*, That if any person, other than the Postmaster General, or his deputies, or persons by them employed, shall be concerned in setting up or maintaining any foot or horse post, stage wagon, or other stage carriage, on any established Post Road, or any packet boat or other vessel, to ply regularly from one place to another, between which a regular communication by water, shall be established by the United States, and shall receive any letter or packet, other than newspapers, magazines, or pamphlets, and carry the same, by such foot or horse post, stage wagon, or other stage carriage, packet boat or vessel, (excepting only such letter or letters, as may be directed to the owner or owners of such conveyance, and relating to the same, or to the person to whom any package or bundle in such conveyance is intended to be delivered,) every person so offending shall forfeit, for every such offence, the sum of fifty dollars: *Provided*, That it shall be lawful for any person to send letters or packets by a special messenger.

SEC. 15. *And be it further enacted*, That the Deputy Postmasters and other agents of the Postmaster General, shall duly account and answer to him, for all way-letters, which shall come to their hands; and for this purpose the post-riders, and other carriers of the mail, receiving any way-letter or letters, (and it shall be their duty to receive them, if presented more than two miles from a Post Office,) shall deliver the same, together with the postage, if paid, at the first Post Office, to which they shall afterwards arrive, where the Postmaster shall duly enter the same, and specify the number and rate or rates in the post-bill, adding to the rate of each way-letter one cent, which shall be paid by the Deputy Postmaster, to the mail carrier from whom such way-letter shall be received; and that letters, directed to persons living between Post Offices, may be delivered, and the postage thereof duly collected, it shall be the duty of the carriers of the mail to take charge of, and deliver, all such letters as shall, for that pur-



pose, be committed to them, by any Deputy Postmaster, and collect the postage thereof, which shall be paid over by such Deputy Postmaster, on demand, and for every letter so delivered, the mail carrier delivering the same shall be allowed to demand and receive two cents, to his own use, besides the ordinary postage; and if any Deputy Postmaster, or other agent of the Postmaster General, shall neglect so to account, he or they, so offending, shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding fifty dollars: *Provided*, That no mail carriers shall make such deliveries at any place not on the Post Road: *Provided also*, That the receipts and delivery of letters on the way, between Post Offices, shall not be required of the mail carriers, in cases where, in the opinion of the Postmaster General, the time or manner of carrying the mail, or the speed of conveyance, is incompatible with such receipts and deliveries.

SEC. 16. *And be it further enacted*, That if any person employed in any of the departments of the General Post Office, shall unlawfully detain, delay, or open, any letter, packet, bag, or mail of letters, with which he shall be intrusted, or which shall have come to his possession, and which are intended to be conveyed by post; or if any such person shall secrete, embezzle, or destroy, any letter or packet, intrusted to him, as aforesaid, and which shall not contain any security for, or assurance relating to, money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag, or mail of letters, with which he shall be intrusted, or which shall have come to his possession, and are intended to be conveyed by post, containing any bank note, or bank post bill, bill of exchange, warrant of the Treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for, or relating to the payment of money, or any bond or warrant, draft, bill, or promissory note, whatsoever, for the payment of money; or if any such person, employed as aforesaid, shall steal or take any of the same, out of any letter, packet, bag or mail of letters, that shall come to his possession, he shall, on conviction for any such offence, suffer death. And if any person, who shall have taken charge of the mail of the United States, shall quit or desert the same, before his arrival at the next Post Office, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars, for every such offence. And if any person concerned in carrying the mail of the United States, shall collect, receive, or carry, any letter or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

SEC. 17. *And be it further enacted*, That if any person or persons shall rob any carrier of the mail of the United States of such mail, or any part thereof, such offender or offenders shall, on conviction thereof, suffer death. And if any person shall steal the mail, or shall steal and take from or out of the mail, or from or out of any Post Office, any letter or packet, such person shall, upon conviction, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence.

SEC. 18. *And be it further enacted*, That the Deputy Postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the Postmaster General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or, instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and, at the expiration of the next three months, shall send such of the said letters as then remain on hand as dead letters, to the General Post Office, where the same shall be opened and inspected; and if any valuable papers or matter of consequence, shall be found therein, it shall be the duty of the Postmaster General to cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter, with its contents, be not demanded by the person to whom it is addressed, or the owner thereof, or his lawful agent, within two years after the advertisement thereof, as aforesaid, the said contents shall be applied to the use of the United States, until the same shall be reclaimed by the proprietor thereof. The manner of such application to be specially stated by the Postmaster General to the Secretary of the Treasury.

SEC. 19. *And be it further enacted*, That the following letters and packets, and no other, shall be received and conveyed by post, free of postage, under such restrictions as are hereinafter provided; that is to say, all letters and packets to or from the President or Vice President of the United States, and all letters and packets, not exceeding two ounces in weight, to or from any member of the Senate or House of Representatives, the Secretary of the Senate or Clerk of the House of Representatives, during their actual attendance in any session of Congress, and twenty days after such session; all letters to and from the Secretary of the Treasury, Comptroller, Register, and Auditor of the Treasury, the Treasurer, the Secretary of State, the Secretary at War, Commissioner of the Revenue, the Postmaster General, his Assistant, and Deputies: And the Deputy Postmasters shall receive, besides their



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other allowances, two cents for each free letter or packet, (their own excepted) which shall be delivered to the person addressed out of their respective offices. *Provided*, That no person shall frank or enclose any letter or packet other than his own; but any public letter or packet from the Department of the Treasury, may be franked by the Secretary of the Treasury, or by the Commissioner of the Revenue, Comptroller, Register, Auditor, or Treasurer: And that each person before named shall deliver into the Post Office every letter or packet enclosed to him, which may be directed to any other person, noting the place from whence it came by post, and the usual postage shall be charged thereon: *And provided also*, That no letter to or from a Deputy Postmaster shall be free of postage, if it exceeds half an ounce in weight.

SEC. 20. *And be it further enacted*, That if any person shall counterfeit the handwriting of any other person, in order to evade the payment of postage, such person or persons so offending, and being thereof duly convicted, shall forfeit and pay, for every such offence, the sum of one hundred dollars.

SEC. 21. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide.

SEC. 22. *And be it further enacted*, That all newspapers conveyed in the mail shall be under cover, open at one end, carried in separate bags from the letters, and charged with the payment of one cent each, for any distance not more than one hundred miles, and one cent and a half for any greater distance: *Provided*, That the postage of a single newspaper, from any one place to another, in the same State, shall not exceed one cent: And that, where the mode of conveyance and the size of the mails will admit of it, magazines and pamphlets may be transported in the mail, at one cent per sheet for conveyance, any distance not exceeding fifty miles; one and a half cent for any distance over fifty miles, and not exceeding one hundred; and two cents per sheet, for any greater distance. And it shall be the duty of the Postmaster General and his deputies, to keep a separate account for the newspapers, magazines, and pamphlets; and the Deputy Postmasters shall receive fifty per cent. on the postage thereof, exclusively of their other allowances: And if any letter, memorandum in writing, or other thing, be enclosed in, or placed among such newspapers, or if any note or memorandum, other than the name of the person to whom it is addressed, be written upon any such newspaper, the letter, memorandum, or other thing, so enclosed or placed, and the newspaper on which such memorandum shall be written, shall be detained by the Deputy Postmaster, until a sum shall be paid him equal to the postage of the whole packet in which they shall be found, calculating such postage at the rates established by this act for letters and packets: And that any printer, or other person, who shall conceal a letter, or any memorandum in writing, in a newspaper

or among any package of newspapers, shall be liable, on conviction, to a fine for each offence, not exceeding five dollars. And if any of the persons employed in any department of the Post Office, shall unlawfully detain, delay, embezzle, or destroy any newspaper, magazine, or pamphlet, with which he shall be intrusted, such offenders, for every such offence, shall forfeit a sum not exceeding fifty dollars: *Provided*, That the Postmaster General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is made, to carry newspapers, magazines, and pamphlets, other than those carried in the mail.

SEC. 23. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to allow to the Deputy Postmasters, respectively, such commission, on the moneys arising from the postage of letters and packets, as he shall think adequate to their respective services and expenses: *Provided*, The said commission shall not exceed twenty per cent. to any one deputy, except the Postmaster at the port where the European packets do or shall arrive, to whom such further allowance, in addition to the emoluments of his office, shall be made, as the Postmaster General shall deem a reasonable compensation for his extra services, in the receipt and despatch of letters originally received into his office, from on board such packets, and by him forwarded to other offices: And except the Deputy Postmaster at Burlington, on Lake Champlain, whose compensation the Postmaster General is hereby authorized to augment, on account of his extra trouble in receiving mails passing to and from Canada, to a sum not exceeding one hundred dollars per annum: And except certain Deputy Postmasters, who are obliged to rise in the night to receive mails, whose compensations the Postmaster General is hereby authorized to increase, not exceeding forty per cent. on the amount of moneys arising on the postage of letters and packets: *And provided also*, That the compensations aforesaid shall not exceed one thousand eight hundred dollars per annum to any one Postmaster, excepting the Deputy Postmaster of Philadelphia, who shall be allowed a compensation not exceeding the sum of three thousand five hundred dollars a year, including all perquisites and emoluments, of which a regular account shall be rendered to the Postmaster General: And excepting the Deputy Postmaster at New York, who shall be allowed a compensation, not exceeding two thousand seven hundred dollars a year, including all perquisites and emoluments, of which a regular account shall be rendered, as aforesaid: *Provided also*, That the reasonable charges of the Deputy Postmasters for stationery, for cases necessary for the safe-keeping and convenient distribution of letters, and for advertising the lists of letters, from time to time remaining in their offices, accompanied with proper vouchers, shall be admitted by the Postmaster General, and placed to their credit: And there shall also be allowed to the Deputy Postmaster of Philadelphia, for his extraordinary expenses, incurred in the execution of his office, un-

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der the existing law, an additional compensation, at the rate of eight hundred and fifty dollars a year, to be computed from the first day of July, one thousand seven hundred and ninety-two, to the first day of June next.

SEC. 24. *And be it further enacted*, That, if any Deputy Postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts and pay over to the Postmaster General the balance by him due at the end of every three months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person or persons so neglecting or refusing; and if the Postmaster General shall not cause such suit to be commenced within six months from the end of every such three months, the balances due from every such delinquent shall be charged to and recoverable from the Postmaster General.

SEC. 25. *And be it further enacted*, That all pecuniary penalties and forfeitures incurred under this act, shall be one-half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States.

SEC. 26. *And be it further enacted*, That it shall be lawful for the Postmaster General to make provision, where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port of the United States, to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the Postmaster of the port to which such ship or vessel shall be bound. And for every letter or packet so received there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the Postmasters respectively receiving the same. And the Postmaster General may make arrangements with the Postmasters in any foreign country for the reciprocal receipt and delivery of letters and packets through the post offices.

SEC. 27. *And be it further enacted*, That the Deputy Postmasters and the persons employed in the transportation of the mail shall be exempt from militia duties, or any fine or penalty for neglect thereof.

SEC. 28. *And be it further enacted*, That letter-carriers shall be employed at such post offices as the Postmaster General shall direct for the delivery of letters in the places respectively where such post offices are established; and, for the delivery of each such letter, the letter carrier may receive of the person to whom the delivery is made two cents: *Provided*, That no letter shall be delivered to such letter carrier for distribution addressed to any person who shall have lodged at the post office a written request that his letters shall be detained in the office. And, for every letter lodged at any post office, not to be carried by post, but to be delivered to the place where it is so lodged, the Deputy Postmaster shall receive one cent of the person to whom it shall be delivered.

SEC. 29. *And be it further enacted*, That this act shall be in force from the first day of June next

Approved, May 8, 1794.

An Act providing for raising and organizing a Corps of Artillerists and Engineers.

*Be it enacted, &c.*, That the number of seven hundred and sixty-four non-commissioned officers, privates, and artificers, to serve as privates and musicians, shall be engaged for the term of three years, by voluntary enlistments; and that the proper proportion of commissioned officers shall be appointed to command the same.

SEC. 2. *And be it further enacted*, That the aforesaid commissioned and non-commissioned officers, privates, artificers, and musicians, shall be incorporated with the corps of artillery now in the service of the United States, and denominated the corps of artillerists and engineers, and that the entire number of the said corps, exclusively of the commissioned officers, shall be nine hundred and ninety-two.

SEC. 3. *And be it further enacted*, That the organization of the said corps be as herein mentioned, to wit: One Lieutenant Colonel commandant, one Adjutant, one Surgeon—four battalions, each to consist of one Major, one Adjutant and Paymaster, and one Surgeon's Mate; and four companies, each to consist of one Captain, two Lieutenants, two Cadets, with the pay, clothing, and rations of a sergeant, four sergeants, four corporals, forty-two privates, suppers, and miners, and ten artificers, to serve as privates, and two musicians.

SEC. 4. *And be it further enacted*, That the additional commissioned officers, non-commissioned officers, privates, artificers, and musicians, by this act directed to be raised, shall receive the same pay and allowances, in all respects, as the troops already in the service of the United States; and they shall also be governed by the same rules and articles of war, which have been, or may be by law, established.

SEC. 5. *And be it further enacted*, That it shall be the duty of the Secretary of War to provide, at the public expense, under such regulations as shall be directed by the President of the United States, the necessary books, instruments, and apparatus, for the use and benefit of the said corps.

SEC. 6. *And be it further enacted*, That the President of the United States shall cause such proportions of the said corps to serve in the field, on the frontiers, or in the fortifications of the seacoast, as he shall deem consistent with the public service.

Approved, May 9, 1794.

An Act supplementary to "An act to provide for the Defence of certain Ports and Harbors in the United States."

*Be it enacted, &c.*, That the port and harbor of the city of Annapolis be fortified in such manner, and at such time or times, as the President of the United States may direct; and that it shall be lawful for the President of the United States to employ a garrison in the said fortification, provide cannon and equipments, and receive from the State of Maryland a cession of the lands on which the said fortification, and its necessary buildings, may be erected, agreeably to the second

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and third sections of the act to which this is a supplement.

Approved, May 9, 1794.

An Act for the Remission of the Duties on eleven hogshheads of Coffee which have been destroyed by fire.

Whereas, eleven hogshheads of coffee were imported in the brig Jason, from Cape Francois, by two French citizens to the port of Norfolk and Portsmouth in November last, and the duties thereon secured to be paid by Messrs. Elliott and Purviance of the same port: And whereas, the said eleven hogshheads of coffee were afterwards on account of the same importers shipped to the port of Baltimore, and there, in the night of the seventh day of January last, destroyed by fire.

*Be it enacted, &c.,* That the duties paid or payable to the United States on the same eleven hogshheads of coffee be, and the same are hereby remitted; and it shall be the duty of the Collector of the port of Norfolk and Portsmouth to refund the same duties, if they have been received.

Approved, May 9, 1794.

An Act directing a Detachment from the Militia of the United States.

*Be it enacted, &c.,* That the President of the United States be, and he is hereby authorized to require of the Executives of the several States, to take effectual measures, as soon as may be, to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, the following proportions, respectively, of eighty thousand effective militia, officers included, to wit: From the State of Georgia, one thousand three hundred and thirty-three; from the State of South Carolina, three thousand five hundred and fifty; from the State of North Carolina, seven thousand three hundred and thirty-one; from the State of Kentucky, one thousand five hundred and thirty-two; from the State of Virginia, eleven thousand three hundred and seventy-seven; from the State of Maryland, five thousand four hundred and eighteen; from the State of Delaware, one thousand two hundred and fifty-six; from the State of Pennsylvania, ten thousand seven hundred and sixty-eight; from the State of New Jersey, four thousand three hundred and eighteen; from the State of New York, seven thousand nine hundred and seventy-one; from the State of Vermont, two thousand one hundred and thirty-nine; from the State of Connecticut, five thousand eight hundred and eighty-one; from the State of Rhode Island, one thousand six hundred and ninety-seven; from the State of Massachusetts, eleven thousand eight hundred and eighty-five; and from the State of New Hampshire, three thousand five hundred and forty-four.

Sec. 2. *And be it further enacted,* That the detachments of militia aforesaid shall be officered out of the present militia officers, or others, at the option and discretion of the Constitutional authority in each State respectively.

Sec. 3. *And be it further enacted,* That the

President may, if he judges expedient, authorize the Executives of the several States to accept any independent corps of cavalry, artillery or infantry, as part of the detachments aforesaid, provided they shall voluntarily engage as corps in the service.

Sec. 4. *And be it further enacted,* That the said militia shall not be compelled to serve a longer time, in any one tour, than three months after their arrival at the place of rendezvous; and that, during the time of their service, besides their pay and other allowances, which shall be the same as the troops on the Military Establishment of the United States, they shall receive at the rate of one dollar and sixty-six cents, for clothing, per month.

Sec. 5. *And be it further enacted,* That the President of the United States be requested to call on the Executives of the Several States, to take the most effectual means, that the whole of the militia, not comprised within the foregoing requisition, be armed and equipped according to law.

Sec. 6. *And be it further enacted,* That this act shall continue and be in force, for the space of one year from the passing thereof, and from thence to the end of the next session of Congress, and no longer.

Approved, May 9, 1794.

An Act to erect a Light house on the Headland of Cape Hatteras; and a Lighted Beacon on Shell Castle Island, in the Harbor of Ocracock, in the State of North Carolina.

*Be it enacted, &c.,* That, as soon as the jurisdiction of so much of the headland of Cape Hatteras, in the State of North Carolina, as the President of the United States shall deem sufficient and most proper for the convenience and accommodation of a light-house shall have been ceded to the United States, it shall be the duty of the Secretary of the Treasury to provide, by contract, which shall be approved by the President of the United States, for building a light-house thereon, of the first rate, and furnishing the same with all necessary supplies, and also to agree for the salaries or wages of the person or persons who may be appointed by the President for the superintendence and care of building said light-house; and the President is hereby authorized to make said appointments. That the number and disposition of the lights in the said light-house shall be such, as may tend to distinguish it from others, and, as far as practicable, to prevent mistakes in navigators.

Sec. 2. *And be it further enacted,* That the Secretary of the Treasury be authorized to provide, by contract, which shall be approved by the President of the United States, for building on an Island in the harbor of Ocracock, called Shell Castle, a lighted beacon, of a wooden frame, fifty-five feet high, to be twenty-two feet at the base, and to be reduced gradually to twelve feet at the top, exclusively of the lantern, which shall be made to contain one large lamp with four wicks, and for furnishing the same with all necessary supplies: *Provided,* That no such lighted beacon shall be erected, until a cession of a sufficient quantity of

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land on the said Island shall be made to the United States by the consent of the Legislature of the State of North Carolina.

SEC. 3. *And be it further enacted*, That sufficient moneys be appropriated for the erecting and completing the buildings aforesaid, out of any moneys heretofore appropriated which may remain unexpended after satisfying the purposes for which they were appropriated, or out of any moneys which may be in the Treasury not subject to any prior appropriation.

Approved, May 13, 1794.

*An Act for erecting a Light-house on the Island of Seguin, in the District of Maine, and for erecting a Beacon, and placing three Buoys at the entrance of Saint Mary's river, in the State of Georgia.*

*Be it enacted, &c.*, That it shall be the duty of the Secretary of the Treasury to provide, by contract, which shall be approved by the President of the United States, for building a light-house on the Island of Seguin, near the entrance of the river Kennebeck, in the District of Maine, (the Commonwealth of Massachusetts having ceded to the United States ten acres of the said Island for that purpose,) and to furnish the same with all necessary supplies; and also to agree for the salaries or wages of the person or persons, who may be appointed by the President, for the superintendence and care of the same; and the President is hereby authorized to make the said appointments; that the number or disposition of the light or lights in the said light-house, be such as may tend to distinguish it from others, as far as is practicable.

SEC. 2. *And be it further enacted*, That a sum, not exceeding five thousand dollars, be appropriated for the same, out of any moneys heretofore appropriated, which may remain unexpended, after satisfying the purpose for which they were appropriated, or out of any other moneys which may be in the Treasury, not subject to any prior appropriations.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause a beacon to be erected, and three buoys to be placed, at the entrance of Saint Mary's river, in the State of Georgia, and that a sum, not exceeding three hundred dollars, be appropriated in like manner as the sum for defraying the expenses for erecting a light-house on the island of Seguin, is appropriated by this act, for the purpose of defraying the charges of erecting and placing the same.

Approved, May 19, 1794.

*An Act further to authorize the adjournment of Circuit Courts.*

*Be it enacted, &c.*, That a Circuit Court in any district, when it shall happen that no Justice of the Supreme Court attends within four days after the time appointed by law for the commencement of the session, may be adjourned to the next stated term by the Judge of the district, or, in case of his absence also, by the Marshal of the district.

Approved, May 19, 1794.

*An Act prohibiting for a limited time the exportation of Arms and Ammunition, and encouraging the importation of the same.*

*Be it enacted, &c.*, That it shall not be lawful to export from the United States any cannon, muskets, pistols, bayonets, swords, cutlasses, musket balls, lead, bombs, grenades, gunpowder, sulphur, or saltpetre; but the exportation of all the aforesaid articles are hereby prohibited for and during the term of one year.

SEC. 2. *And be it further enacted*, That any of the aforesaid articles, excepting such of them as may constitute a part of the equipment of any vessel, which, during the continuance of this prohibition, shall be found on board of any vessel, in any river, port, bay, or harbor, within the territory of the United States, with an intent to be exported from the United States to any foreign country, shall be forfeited; and in case the value thereof shall amount to four hundred dollars, the vessel on board of which the same shall be seized, together with her tackle, apparel, and furniture, shall also be forfeited: *Provided, nevertheless*, That nothing in this act shall be construed to prohibit the removal or transportation of any of the articles aforesaid from one port to another port within the United States, in any vessel having a license as a coasting vessel, the master, agent, or owner of which shall have given bond, with one or more sufficient sureties, to the Collector of the District from which such vessel is about to depart, in a sum double the value of such vessel and of such of the said articles as may be laden on board her, that the said articles shall be relanded and delivered in some port of the United States.

SEC. 3. *And be it further enacted*, That if any of the articles aforesaid shall, contrary to the prohibitions of this act, be exported to any foreign country, the vessel in which the same shall have been exported, together with her tackle, apparel, and furniture, shall be liable to forfeiture, and the captain or master of such vessel shall forfeit and pay a sum not exceeding one thousand dollars.

SEC. 4. *And be it further enacted*, That it shall be the duty of the custom-house officers, and of all persons employed in the collection of the revenue, to attend to the execution of this law; and all forfeitures and penalties incurred under it shall be sued for, prosecuted, adjudged, and distributed, in like manner as is provided in the act, entitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise imported into the United States, and on the tonnage of ships and vessels."

SEC. 5. *And be it further enacted*, That all brass cannon, muskets, and firelocks, with bayonets suited to the same, pistols, swords, cutlasses, musket balls, lead, and gunpowder, which shall be imported into the United States from any foreign country, within the term of one year, and all sulphur and saltpetre which shall be so imported within the term of two years from and after the passing of this act, shall be free of duty, anything in any former law to the contrary notwithstanding.

Approved, May 22, 1794.

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An Act to alter the time for the next annual meeting of Congress.

*Be it enacted &c.,* That, after the adjournment of the present session, the annual meeting of Congress shall be on the first Monday in November next.

Approved, May 30, 1794.

An Act to continue in force the act for the relief of persons imprisoned for debt.

*Be it enacted, &c.,* That the act entitled "An act for the relief of persons imprisoned for debt," be continued, and that the same be in force for the term of two years from the passing of this act, and from thence to the end of the next session of Congress, and no longer.

Approved, May 30, 1794.

An Act further extending the time for receiving on Loan the Domestic Debt of the United States.

*Be it enacted, &c.,* That the term for receiving on Loan that part of the Domestic Debt of the United States which shall not have been subscribed in pursuance of the act entitled "An act for extending the time for receiving on Loan that part of the Domestic Debt of the United States which may not be subscribed prior to the first day of March, one thousand seven hundred and ninety-three," be, and the same is hereby further extended from and after the last day of June ensuing, until the last day of December next, inclusively, on the same terms and conditions as are contained in the act, entitled "An act making provision for the Debt of the United States;" *Provided,* That the books for receiving the said subscriptions shall be opened only at the Treasury of the United States.

*Sec. 2. And be it further enacted,* That such of the creditors of the United States as have not subscribed and shall not subscribe to the said Loan, shall nevertheless receive, during the year one thousand seven hundred and ninety-four, a rate per centum on the amount of such of their demands, as have been registered or as shall be registered at the Treasury, conformably to the directions in the act, entitled "An act making provision for the Debt of the United States," equal to the interest which would be payable to them as subscribing creditors.

Approved, May 30, 1794.

An Act making provision for the payment of the interest on the balances due to certain States, upon a final settlement of the accounts between the United States and the individual States.

*Be it enacted, &c.,* That interest upon the balances reported to be due to certain States, by the Commissioners for settling accounts between the United States and individual States, be allowed, from the last day of December, one thousand seven hundred and eighty-nine, and to be computed to the last day of December, one thousand seven hundred and ninety-four, at the rate of four per centum per annum; and that the amount of such interest be placed to the credit of the State to which the same shall be found due, upon the books

of the Treasury of the United States, and shall bear an interest of three per centum per annum, from and after the said last day of December, one thousand seven hundred and ninety-four.

*Sec. 2. And be it further enacted,* That the interest on the said balances, reported by the said Commissioners as aforesaid, which shall be funded, agreeably to the terms of the act, entitled "An act to provide more effectually for the settlement of the accounts between the United States and the individual States," together with the interest on the amount placed to the credit of any such State, for arrearages of interest on such balances, agreeably to the terms of this act, be paid quarter-yearly, after the said last day of December, one thousand seven hundred and ninety-four; that is to say: one-fourth part thereof on the last days of March, June, September, and December, respectively, in each year, at the offices of the Commissioners of Loans, within such States as shall be entitled to receive the same; the first payment to be made on the last day of March, one thousand seven hundred and ninety-five: And for the payment of the said interest, so much of the duties arising, yearly, on imports and tonnage, from and after the last day of December, one thousand seven hundred and ninety-four, as may be necessary, and not heretofore otherwise appropriated, be, and the same is hereby, pledged and appropriated; and that the faith of the United States be, and the same is hereby, pledged to provide for any deficiency that may happen by such additional and permanent funds as may be necessary therefor.

Approved, May 31, 1794.

An Act to authorize the President of the United States to lay, regulate, and revoke Embargoes.

*Be it enacted, &c.,* That the President of the United States be, and he hereby is, authorized and empowered, whenever in his opinion the public safety shall so require, to lay an embargo on all ships and vessels in the ports of the United States, or upon the ships and vessels of the United States, or the ships and vessels of any foreign nation, under such regulations as the circumstances of the case may require, and to continue or revoke the same, whenever he shall think proper; and the President is hereby fully authorized to give all such orders to the officers of the United States as may be necessary to carry the same into full effect: *Provided,* The authority aforesaid shall not be exercised while the Congress of the United States shall be in session. And any embargo which may be laid by the President, as aforesaid, shall cease and determine in fifteen days from the actual meeting of Congress next after laying the same.

*Sec. 2. And be it further enacted,* That this act shall continue and be in force until fifteen days after the commencement of the next session of Congress, and no longer.

Approved, June 4, 1794.

An Act providing for the payment of the second instalment due on a Loan made of the Bank of the United States.

*Be it enacted, &c.,* That the President of the

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United States be, and he hereby is, authorized and empowered to apply two hundred thousand dollars of the proceeds of foreign Loans, heretofore transferred to the United States, in payment of the second instalment due to the Bank of the United States, upon a Loan of the said Bank, made pursuant to the eleventh section of the act for incorporating the subscribers to the said Bank; and that the annual period for the payment of each instalment of the said Loan shall be deemed to be the last day of December in each year.

SEC. 2. *And be it further enacted*, That a sufficient sum of the dividends which have accrued, or which shall hereafter accrue, on the stock owned by the United States, in the Bank of the United States, be, and the same is hereby, appropriated to the payment of the interest which has or shall become due on the Loans obtained as aforesaid.

Approved, June 4, 1794.

An Act for extending the benefit of a Drawback and terms of Credit, in certain cases, and for other purposes.

*Be it enacted, &c.*, That in all cases where the term allowed by law for the exportation of goods, wares, or merchandise, with the benefit of a drawback of the duties thereupon, shall have expired after the last day of January last past, and previous to the last day of July next, there shall be allowed further time for the exportation, with the benefit aforesaid, until the said last day of July next.

SEC. 2. *And be it further enacted*, That on all bonds which may have been given for duties on coffee, sugar, and indigo, imported into the United States, and which shall be unpaid at the passing of this act, all that time from the last day of January last past to the last day of May instant, shall be considered as no part of the time allowed by law for the payment of the said duties, but the importer shall enjoy the same term of credit as if the said period had not intervened: *Provided*, That in every case where the extension of credit is claimed and granted under this act, new act bonds shall be given for the duties on which such credit is extended, with one or more sureties, to the satisfaction of the collector of the district.

SEC. 3. *And be it further enacted*, That in cases where the certificates and evidence now required by law for authorizing the payment of any drawback or allowance on any goods, wares, or merchandise, exported since the first day of July, one thousand seven hundred and ninety two, or which may be hereafter exported, are not and cannot be obtained, the exporter or exporters of such goods, wares, or merchandise, shall nevertheless be permitted to offer such other proof as to the delivery thereof, without the limits of the United States, as he or they may have, to the Comptroller of the Treasury, who shall, if the same proof shall be satisfactory to him, direct the payment of the drawback or allowance: *Provided, always*, That in no case shall a drawback be hereafter paid on any goods, wares, or merchandise, until the duties on the importation thereof shall have been first received.

Approved, June 4, 1794.

An Act laying duties upon Carriages for the conveyance of persons.

*Be it enacted, &c.*, That there shall be levied, collected, and paid, upon all carriages for the conveyance of persons, which shall be kept by or for any person, for his or her own use, or to be let out to hire, or for the conveying of passengers, the several duties and rates following, to wit: For and upon every coach, the yearly sum of ten dollars; for and upon every chariot, the yearly sum of eight dollars; for and upon every phaeton and coachee, six dollars; for and upon every other four-wheel, and every two-wheel, top-carriage, two dollars; and upon every other two-wheel carriage, one dollar: *Provided, always*, That nothing herein contained shall be construed to charge with a duty any carriage usually and chiefly employed in husbandry, or for the transporting or carrying of goods, wares, merchandise, produce, or commodities.

SEC. 2. *And be it further enacted*, That the duties aforesaid shall be levied, collected, received, and accounted for, by and under the immediate direction of the supervisors and inspectors of the revenue, and other officers of inspection, subject to the superintendence, control, and direction of the Department of the Treasury, according to the authorities and duties of the respective officers thereof.

SEC. 3. *And be it further enacted*, That every person having or keeping a carriage or carriages, which, by this act, is or are made subject to the payment of duty, shall, within the month of September, in each year, make entry of the same with the officer of inspection of the district, in which he or she shall reside, and pay the duty thereon; and such entry shall be in writing, subscribed by the owner of such carriage or carriages, and shall describe each by its proper denomination and number of wheels. And, for the purpose of receiving such entry and payment, it shall be the duty of the supervisor of the district, or of some officer of inspection, to attend, within the month of September, in each year, at one of the most public and convenient places in each county, within their respective districts, and to give public notice, at least one month previous to such day, of the time and place of such attendance. And if any person, having or keeping a carriage, or carriages, charged with a duty or duties by this act, shall neglect or omit to bring, or send, and deliver, such list thereof, at or within any monthly period aforesaid, in manner above mentioned, or to pay the duty or duties thereupon payable, he or she shall, for every such neglect or omission, forfeit and pay a sum equal to the duty or duties payable upon the said carriage or carriages, in addition to the said duty or duties.

SEC. 4. *And be it further enacted*, That if any person having or keeping a carriage or carriages chargeable with any duty by this act, shall prefer, to the mode of payment herein before directed, that of paying the amount of the duties by him or her payable, upon demand of him or her made at his or her usual place of habitation, it shall be at

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his or her option to make payment in manner last mentioned, upon the condition following, that is to say: that he or she, if having or keeping a carriage or carriages, so liable to duty, on the first day of September next, shall, within the said month of September, or, if beginning to have or keep such carriage or carriages, at any time after the said first day of September, shall, within thirty days after he or she shall so begin to have or keep such carriage or carriages, give notice thereof in writing, at the office of inspection, nearest to his or her said place of habitation, by transmitting a list thereof, of the like kind and description with that directed and described in the third section of this act, and expressing thereupon, that he or she doth elect to pay the yearly duty or duties payable upon the carriage or carriages therein mentioned, upon demand of him or her, at his or her said place of habitation, and upon this further condition, that he or she shall pay, upon such demand, in addition to the said duty or duties, a commission of one per centum upon the amount thereof, for the benefit of the officer or person by whom the said demand shall have been made.

SEC. 5. *And be it further enacted*, That every person who shall make such election, as aforesaid, shall pay, or cause to be paid yearly, and every year after the month of September, upon the calling for that purpose, at his or her said place of habitation, of any officer of inspection, or person thereunto authorized, the amount of duty or duties by him or her payable, upon the carriage or carriages, whereof he or she shall have transmitted a list, as aforesaid, so long as he or she shall continue to have or keep the same, and until he or she shall give notice in writing, at the office of inspection, to which the said list shall have been transmitted, that he or she hath sold, or otherwise assigned, or alienated, any carriage or carriages therein mentioned: in default of which payment, the duty or duties, and commission thereupon, in respect to which any such default shall be made, shall and may be sued for and recovered in any Court of the United States, or of either of them, or shall and may be levied, together with reasonable charges, by distress and sale of the goods and chattles of the person making such default.

SEC. 6. *And be it further enacted*, That if any person, by whom such election as aforesaid shall have been made, shall omit to notify, in manner herein before directed, any carriage or carriages liable to duty, by this act, which he or she shall, at any time, have or keep, he or she shall, in respect to such carriage or carriages, stand and be in the same predicament as persons by whom no such election shall have been made, and shall incur the like penalties and forfeitures, as such persons are by this act made liable to, for neglecting or omitting to bring, or send and deliver, true and exact lists of the carriages by them respectively had or kept, and paying the duties thereupon in manner herein directed.

SEC. 7. *Provided always, and be it further enacted*, That it shall be, at any time, lawful for any such person, who shall have made any such election, as aforesaid, by notice in writing under

his or her hand, sent to and delivered at the same office of inspection, where the notice of such election shall have been given, to revoke the said election; after which revocation, he or she shall stand, and be, as to all matters and things directed and prescribed by this act, in the same situation as if no such election had been made.

SEC. 8. *And be it further enacted*, That the supervisors of the revenue shall have power, from time to time, to examine upon oath or affirmation any officers or persons employed under them in the collection and receipts of the duties aforesaid.

SEC. 9. *And be it further enacted*, That if any person shall wilfully swear or affirm falsely, touching any matter herein before required to be verified by oath or affirmation, he or she shall suffer the pains and penalties which by law are prescribed for wilful and corrupt perjury; and, if an officer, shall forfeit his office, and be incapable of afterwards holding any office under the United States.

SEC. 10. *And be it further enacted*, That all fines, penalties, and forfeitures, which shall be incurred pursuant to this act, shall be divided and distributed, one-half thereof to the use of the United States, and the other half thereof to the use of the person, who, if an officer of inspection, shall first discover, if not an officer of inspection, shall first give information of the cause, matter, or thing, whereby any of the said penalties or forfeitures shall have been incurred, and as well the duties hereby laid, as the said fines, penalties, and forfeitures, all or any of them, shall and may be sued for, and recovered, in any Court of the United States, or before any magistrate, or State Court, having competent jurisdiction.

SEC. 11. *And be it further enacted*, That this act shall continue and be in force for and during the term of two years, and from thence to the end of the next session of Congress and no longer.

Approved, June 5, 1794.

An Act to authorize the President of the United States, during the recess of the present Congress, to cause to be purchased or built a number of vessels, to be equipped as galleys, or otherwise, in the service of the United States.

*Be it enacted, &c.*, That the President of the United States be, and he is hereby, authorized, during the recess of the present Congress, if the same shall appear to him necessary for the protection of the United States, to cause a number of vessels not exceeding ten, to be built or purchased, and to be fitted out, manned, armed, and equipped, as galleys, or otherwise, in the service of the United States, the officers and men to be on the same pay and to receive the same subsistence as officers of the same rank and men are entitled to in the Navy of the United States.

SEC. 2. *And be it further enacted*, That the said officers shall be appointed and commissioned by the President of the United States, and the said galleys or vessels be stationed in such parts of the United States as he may direct.

SEC. 3. *And be it further enacted*, That there



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be appropriated for the purpose aforesaid, the sum of eighty thousand dollars, to be paid out of the proceeds of any revenues of the United States which now are, or hereafter, during the present session, shall be provided, not being otherwise appropriated. And that the President of the United States be authorized to take on loan of the Bank of the United States, or of any other body politic or corporate, person or persons, the said sum of eighty thousand dollars, to be reimbursed, principal and interest, out of the said proceeds, appropriated, as aforesaid, according to such contract or contracts which shall be made concerning the same.

Approved, June 5, 1794.

**An Act authorizing a settlement of certain expenses of the Commissioners of Loans.**

*Be it enacted, &c.,* That the Commissioners of Loans in the several States shall be allowed, in the settlement of their accounts, such sums as shall appear to have been necessarily expended by them in the purchase of stationery for the use of their several offices, and also for the hire of clerks to assist in executing the duties of their respective offices, from and after the first day of March, one thousand seven hundred and ninety-three, until the last day of the year one thousand seven hundred and ninety-four, inclusively.

*Sec. 2. And be it further enacted,* That a sufficient sum of the proceeds of the duties on imports and tonnage, not exceeding the sum of fifteen thousand dollars, be, and the same is hereby, appropriated, to the payment of such of the expenses before mentioned as shall accrue during the present year and be allowed on settlement at the Treasury.

Approved, June 5, 1794.

**An Act laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail.**

*Be it enacted, &c.,* That every person who shall deal in the selling of wines, to be carried or sent out of the house, building, or place of his or her dwelling, in a less quantity, or in less quantities, at one time, than thirty gallons, except in the original cask, case, box, or package, wherein the same shall have been imported, shall be deemed to be, and hereby is declared to be, a retail dealer in wines, within the meaning of this act; and that every person, who shall deal in the selling of any foreign distilled spirituous liquors, to be carried or sent out of the house, building, or place of his or her dwelling, in less quantities than twenty gallons, at one time, shall be deemed to be, and hereby is declared to be a retail dealer in foreign distilled spirituous liquors: *Provided always,* That nothing herein contained shall be construed to extend to persons, who, as keepers of taverns, inns, or houses of entertainment, duly licensed or authorized under any law of a State, shall vend or sell really and truly for consumption, within the houses, buildings, or premises, only, by them respectively occupied or kept, as taverns, inns, or other houses of entertain-

ment, wines or distilled spirituous liquors, in whatsoever quantity, nor to physicians, apothecaries, surgeons, or chemists, as to any wines or spirituous liquors, which they may use in the preparation or making up of medicines, for sick, lame, or diseased persons only.

*Sec. 2. And be it further enacted,* That every person, who, on the thirtieth day of September next, shall be a retail dealer in wines, or foreign distilled spirituous liquors, as above described and defined, both, or either of them, shall, before the said day, and every person, who, after the said day, shall become or intend to become such retail dealer in wines or foreign distilled spirituous liquors, both or either of them shall, before he or she shall begin to vend or sell by retail, any wine or wines, or foreign distilled spirituous liquors, apply for and obtain, in manner hereinafter directed, a license for carrying on the business of retailing wines or foreign distilled spirituous liquors, as the case may be, that is to say: one license for carrying on the business of retailing wines, and another license for carrying on the business of retailing foreign distilled spirituous liquors; which licenses respectively, shall be granted for the term of one year upon the payment of five dollars for each license; and shall be renewed, yearly, upon the payment of the like sum of five dollars for each license. And if any person shall, after the said day, deal in selling of wines or foreign distilled spirituous liquors, by retail, as above described and defined, without having a license therefor, as aforesaid, continuing in force, such person shall forfeit and pay the sum of fifty dollars, to be recovered with costs of suit. And no such license shall be sufficient for the selling of wines or foreign distilled spirituous liquors, by retail at more than one place; but any person, who by color of such license shall sell any wines or foreign distilled spirituous liquors, at more than one place, shall be deemed to be, in respect to such of the said articles, as he or she shall so sell, at more than one place, a retail dealer therein without license, and shall forfeit and pay the like sum of fifty dollars, to be recovered with costs of suit.

*SEC. 3. And be it further enacted,* That it shall be the duty of the Supervisors of the Revenue, within their respective districts, to grant licenses for carrying on the said businesses, respectively, of retailing wines and foreign distilled spirituous liquors, which licenses shall be marked or stamped with a mark or stamp, denoting the sum of the duty thereupon; and shall be signed by the Supervisor of the Revenue, who shall issue the same, or cause the same to be issued, and shall be granted to any person, who shall desire the same upon application made at any office of inspection, for that purpose, in writing, specifying the name of the person for whom a license is requested, and the place or premises where the business, for which the same is requested to be carried on, and also upon payment or tender to the officer thereof, of the sum or duty payable by this act, upon each license requested. And to the end that all persons carrying on or intending to carry on, both or either of the said businesses, may obtain with

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ease and despatch the licenses, whereof they shall respectively stand in need, it is hereby made the duty of the respective Supervisors to prepare and furnish to the several Officers of Inspection acting under them, licenses signed by them with the proper marks and stamps in competent number, and with blanks for the names of the persons for whom they shall be requested, and the places or premises respectively where the business or businesses for which they are requested, is or are to be carried on. And the Officer of Inspection to whom such application and payment, or tender as aforesaid, shall be made, shall forthwith issue the license or licenses requested, having first filled the blanks therein, and countersigned the same: *Provided always*, That no license shall be granted to any person to sell wines or foreign distilled spirituous liquors, who is prohibited to sell the same by the laws of any State.

Sec. 4. *And be it further enacted*, That the duties aforesaid, shall be received, collected, accounted for, and paid under and subject to the superintendence, control, and direction of the Department of the Treasury, according to the authorities and duties of the respective officers thereof.

Sec. 5. *And be it further enacted*, That all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered, in the name of the United States, or of the Supervisor of the Revenue, within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof, to the use of the person, who, if an Officer of Inspection, shall first discover, if other than an Officer of Inspection, shall first inform of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture shall have been incurred, and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a District Court within the district in which the same shall arise or accrue, such suit and recovery may be had before any Court of the State holden within the said district having jurisdiction in like cases.

Sec. 6. *And be it further enacted*, That it shall be lawful for the President of the United States, and he is hereby empowered, to make such allowances for compensation to the Officers of Inspection employed in the collection of the duties aforesaid, and for incidental expenses, as he shall judge reasonable, not exceeding in the whole, two and a half per centum of the total amount of the said duties collected.

Sec. 7. *And be it further enacted*, That this act shall continue and be in force for the term of two years, and from thence to the end of the then next session of Congress and no longer.

Approved, June 5, 1794.

An Act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas.

*Be it enacted, &c.*, That, in order to facilitate

and secure the collection of the revenue on distilled spirits, and stills, in such States as have been, or hereafter may be, erected, and in the Territories Northwest and South of the river Ohio, the President of the United States shall be and he is hereby authorized and empowered to form and erect such new districts and surveys, and to make such alterations in and additions to, the several districts, and in and to the several surveys thereof, as, from time to time, shall appear in his judgment expedient and necessary; and that it shall also be lawful for the President, by and with the advice and consent of the Senate, to appoint such and so many supervisors, inspectors of surveys, and inspectors of ports, therein and therefor, as may be found necessary; and to assign to them compensations proportionate to those heretofore, or which may hereafter be, allowed to the officers of the revenue: *Provided*, That if the appointment of such supervisors and inspectors cannot be made during the present session of Congress, the President may, and he is hereby empowered to, make such appointments, during the recess of the Senate, by granting commissions, which will expire at the end of their next session.

Sec. 2. *And be it further enacted*, That all spirits which shall be distilled in the United States, in stills which shall not have been previously entered at some office of inspection, shall be liable, together with the stills or other vessels used in the distillation thereof, to seizure and forfeiture.

Sec. 3. *And be it further enacted*, That no drawback of the duty on distilled spirits, which shall be exported after the first day of July next, shall be allowed upon any quantity less than one hundred and fifty gallons.

Sec. 4. *And be it further enacted*, That it shall be lawful to import into the United States, in the same ship or vessel in which they were exported, any spirits distilled therein, which shall have been previously exported therefrom, on payment of the duties on spirits, of equal proof, distilled in the United States, and of a sum equivalent to the duties established by law upon the raw materials, from whence they shall have been distilled; and all such importations shall be made under the same regulations, and in such manner as is directed by law, in regard to the importation of foreign distilled spirits.

Sec. 5. *And be it further enacted*, That, from and after the first day of July next, on the sale of any emptied cask, vessel, or package, which has been, or shall be, lawfully marked, as containing foreign or domestic distilled spirits, wines, or teas, and prior to the removal thereof, and to the delivery of the same to the purchaser, the marks or numbers which shall or may have been made thereon, by any officer of inspection, or by any person employed or authorized by any such officer, shall be defaced, cut off, or obliterated; and if any such cask, vessel, or package shall be sold, removed, delivered, or received, prior to such defacing, cutting off, or obliterating being made, every person concerned in the purchase, sale, or delivery, shall forfeit and pay the sum of fifty dollars.

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SEC. 6. *And be it further enacted*, That all stills without heads, or other vessels that shall be used as stills in the distillation of ardent spirits, shall be duly entered by the owner or owners thereof, in the manner prescribed in and by the second section of the act entitled "An act concerning the duties on spirits distilled within the United States," passed on the eighth day of May, one thousand seven hundred and ninety-two, under the penalty of two hundred and fifty dollars, to be recovered and distributed as other forfeitures under this act, and the act entitled "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same," to which this is an amendment.

SEC. 7. *And be it further enacted*, That any person or persons, who shall counterfeit the certificates for, or the marks or numbers to be set upon, any cask, vessel, or package, containing wines, teas, or foreign or domestic distilled spirits, or upon stills, which the officers of inspection are or shall be authorized to make thereon, by and in pursuance of the laws concerning the same, or who shall fraudulently rub out or deface, prior to drawing off or emptying the contents, any marks or numbers set upon any cask or package of wine or tea, in pursuance of law, shall, for every such offence, forfeit and pay the sum of one hundred dollars.

SEC. 8. *And be it further enacted*, That every owner or worker of a licensed still, shall be required to make oath or affirmation previous to any renewal of his license, that he has not distilled therein since the commencement of the term specified in such license, excepting only during the term for which it shall have been granted.

SEC. 9. *And be it further enacted*, That it shall and may be lawful for the Judicial Courts of the several States, and of the Territory of the United States Northwest of the river Ohio, and of the Territory of the United States South of the river Ohio, to take cognizance of all and every suit and suits, action and actions, cause and causes, arising under or out of the laws for collecting a revenue upon spirits distilled in the United States, and upon stills, which may arise or accrue at a greater distance than fifty miles from the nearest place established by law for holding a District Court.

SEC. 10. *And be it further enacted*, That, in case of the non-existence of an office of inspection in any county of the United States, every owner or possessor of a still shall make entry thereof in the manner required by the "Act (of the eighth of May, one thousand seven hundred and ninety-two) concerning the duties on spirits distilled within the United States," at some other office of inspection comprehended in the division or survey, in which the said still shall be; and that it shall and may be lawful for the President of the United States, to provide offices of inspection in special cases, provided the expense thereof shall not exceed ten thousand dollars.

SEC. 11. *And be it further enacted*, That every

rectifier of low wines, or other distilled spirits, and every distiller of cordials and strong waters therefrom, shall enter at some office of inspection, all or any such low wines, or other distilled spirits, prior to the removal of them to his distillery or rectifying house, and prior to his beginning the rectifying, improving, or altering the quality, flavor, or proof thereof, under the penalty of one hundred dollars for every cask of one hundred gallons, and in the same proportion for every greater or less quantity.

SEC. 12. *And be it further enacted*, That it shall and may be lawful for the supervisors and inspectors of the revenue, at their own expense, to appoint deputies to aid them in the execution of their duties, in cases of occasional and necessary absence, or of sickness, and not otherwise.

SEC. 13. *And be it further enacted*, That the President of the United States be authorized to make such additional allowances for the space of one year, and from thence until the end of the next session of Congress, to the inspectors and collectors of revenue from distilled spirits, for their respective services subsequent to the thirtieth day of June next, as he shall deem reasonable and proper, so as that the additions to be made to the said allowances shall not exceed, in the whole, the sums heretofore allowed, by more than one-third.

SEC. 14. *And be it further enacted*, That, from and after the first day of October next, no supervisor or inspector of the revenue of the United States, shall be concerned or interested in any foreign trade or commerce, in the goods or merchandise to which the duties of his office relate, or in the sale of any wines, distilled spirits, or teas; and if any such supervisor or inspector shall be so concerned or interested, every such person shall be disqualified from holding such appointment for the term of seven years, and shall, moreover, forfeit and pay a sum not exceeding one hundred dollars, for every month which he or they shall be so interested in such foreign trade, or in the sale of wines, distilled spirits, or teas.

SEC. 15. *And be it further enacted*, That any proprietor of a still, the capacity of which does not exceed one hundred gallons, may be permitted to enter such still, for any term of time less than one year, and not less than one month, paying at the same rate as per month, any thing in any former law to the contrary notwithstanding.

SEC. 16. *And be it further enacted*, That a personal demand of the proprietor or proprietors of any still, of the duties due, or a notice in writing of the amount thereof left at his dwelling by the collector, shall have all the effect of a demand made, as required by the twenty-third section of the act, entitled "An act repealing after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead; and also upon spirits distilled within the United States, and for appropriating the same.

SEC. 17. *And be it further enacted*, That all fines, penalties, and forfeitures, which shall have been incurred by force of any present or future

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law of the United States for the laying, levying, and collecting of any duties or taxes, other than duties on goods, wares and merchandise imported, and on the tonnage of ships and vessels, shall and may be mitigated or remitted by the like ways and means, and upon and under the like conditions, regulations, and restrictions, as are contained, prescribed, authorized, and directed, in and by the act, entitled "An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws in certain cases therein mentioned," touching fines, penalties, and forfeitures incurred or accruing in relation to the cases therein mentioned; which act, and every clause, matter, and thing therein contained, shall be of like force and effect, for the mitigating or remitting of fines, penalties, and forfeitures, which shall have been incurred in reference to said other duties and taxes, as if the same were repeated and re-enacted, in the several and respective laws for laying, levying, and collecting the said other duties and taxes.

SEC. 18. *And be it further enacted*, That the Judicial Courts of the several States, to whom, by this act, a jurisdiction is given, shall and may exercise all and every power in the cases cognizable before them, for the purpose of obtaining a mitigation or remission of any fine, penalty, or forfeiture which may be exercised by the Judges of the District Courts in cases depending before them. The said State Courts first causing reasonable notice to be given to the person or persons claiming such fine, penalty, or forfeiture, and to the attorney, who may, under warrant from the attorney of the district, prosecute for the United States, in such Court, that each may have an opportunity of showing cause against the mitigation or remission thereof.

SEC. 19. *And be it further enacted*, That the act, entitled "An act repealing after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same," and the act, entitled "An act concerning duties on spirits distilled in the United States," shall extend to and be in full force for the recovery and distribution of the penalties and forfeitures herein contained, and generally for the execution of this act, as fully and effectually, as if every regulation, restriction, penalty, provision, clause, matter, and thing, therein contained, were inserted in and re-enacted by this present act, subject only to the alterations hereby made.

Approved, June 5, 1794.

An Act in addition to the act for the punishment of certain crimes against the United States.

*Be it enacted, &c.*, That if any citizen of the United States shall, within the territory or jurisdiction of the same, accept and exercise a commission to serve a foreign Prince or State, in war, by land or sea, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined, not more

than two thousand dollars, and shall be imprisoned not exceeding three years.

SEC. 2. *And be it further enacted and declared*, That, if any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States, with intent to be enlisted or entered in the service of any foreign Prince or State, as a soldier, or as a marine or seaman on board of any vessel of war, letter of marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years: *Provided*, That this shall not be construed to extend to any subject or citizen of a foreign Prince or State who shall transiently be within the United States, and shall, on board of any vessel of war, letter of marque, or privateer, which, at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign Prince or State, who is transiently within the United States, to enlist or enter himself to serve such Prince or State, on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such Prince or State: *And provided further*, That if any person so enlisted shall within thirty days after such enlistment, voluntarily discover upon oath, to some justice of the peace or other civil magistrate, the person or persons by whom he was so enlisted, so as that he or they may be apprehended and convicted of the said offence, such person, so discovering the offender or offenders, shall be indemnified from the penalty prescribed by this act.

SEC. 3. *And be it further enacted and declared*, That, if any person shall, within any of the ports harbors, bays, rivers, or other waters of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out, or arming of any ship or vessel, with intent that such ship or vessel shall be employed in the service of any foreign Prince or State, to cruise or commit hostilities upon the subjects, citizens, or property of another foreign Prince or State, with whom the United States are at peace, or shall issue or deliver a commission, within the territory or jurisdiction of the United States, for any ship or vessel, to the intent that she may be employed as aforesaid, every such person so offending shall, upon conviction, be adjudged guilty of a high misdemeanor, and shall be fined and imprisoned at the discretion of the Court in which the conviction shall be had, so as the fine to be imposed shall in no case be more than five thousand dollars, and the term of imprisonment shall not exceed three years; and every such ship or vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores, which may have been procured for the building or equipment thereof, shall be forfeited, one-half to the use of any person who shall give

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information of the offence, and the other half to the use of the United States.

SEC. 4. *And be it further enacted and declared,* That, if any person shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel, which, at the time of her arrival within the United States, was a ship of war, cruiser, or armed vessel, in the service of a foreign Prince or State, or belonging to the subjects or citizens of such Prince or State, the same being at war with another foreign Prince or State, with whom the United States are at peace, by adding to the number or size of the guns of such vessel prepared for use, or by the addition thereto of any equipment solely applicable to war, every such person so offending shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be fined and imprisoned, at the discretion of the Court in which the conviction shall be had, so as that such fine shall not exceed one thousand dollars, nor the term of imprisonment be more than one year.

SEC. 5 *And be it further enacted and declared,* That, if any person shall, within the territory or jurisdiction of the United States, begin or set on foot or provide or prepare the means for any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign Prince or State with whom the United States are at peace, every such person so offending, shall, upon conviction, be adjudged guilty of a high misdemeanor, and shall suffer fine and imprisonment, at the discretion of the Court in which the conviction shall be had, so as that such fine shall not exceed three thousand dollars, nor the term of imprisonment be more than three years.

SEC. 6. *And be it further enacted and declared,* That the District Courts shall take cognizance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

SEC. 7. *And be it further enacted and declared,* That, in every case in which a vessel shall be fitted out and armed, or attempted so to be fitted out, or armed, or in which the force of any vessel of war, cruiser, or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the prohibitions and provisions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States, as above defined, and in every case in which any process issuing out of any Court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel, of any foreign Prince or State, or of the subjects or citizens of such Prince or State, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be judged

necessary, for the purpose of taking possession of, and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring such prize or prizes, in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories of the United States against the territories or dominions of a foreign Prince or State, with whom the United States are at peace.

SEC. 8. *And be it further enacted and declared,* That it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary, to compel any foreign ship or vessel to depart the United States, in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

SEC. 9. *And be it further enacted,* That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by a treaty or other law of the United States.

SEC. 10. *And be it further enacted,* That this act shall continue and be in force for and during the term of two years, and from thence to the end of the next session of Congress, and no longer.

Approved, June 5, 1794.

An Act laying certain duties upon Snuff and Refined Sugar.

*Be it enacted &c.,* That, from and after the thirtieth day of September next, there be levied, collected, and paid, upon all snuff, which, after that day, shall be manufactured for sale within the United States, at any manufactory, for every pound of snuff, eight cents.

SEC. 2. *And be it further enacted,* That, from and after the said thirtieth day of September next, there be levied, collected, and paid, upon all sugar which shall be refined within the United States, a duty of two cents per pound.

SEC. 3. *And be it further enacted,* That the duties aforesaid shall be levied, collected, and accounted for by the same officers as are provided by the act, entitled "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same;" subject to the superintendence and control of the Department of the Treasury, according to the respective authorities and duties of the officers thereof.

SEC. 4. *And be it further enacted,* That every manufacturer of snuff, who shall be such, previous to, and on the thirtieth day of September next, shall, on the same day, and every manufacturer of snuff, who shall be, and become such, after the said day, shall, twenty days, at the least, previous to commencing the business or trade of manufacturing snuff for sale, make true and ex-

act entry and report in writing, at the office of inspection, which shall be nearest to the house or building where he or she shall carry on, or intend to carry on the business or trade aforesaid, of every house or building where such business or trade shall be by him or her carried on, or intended so to be, and of every mill, specifying the number of mortars to each, which he or she shall have or keep therein, for the performing of any process, operation, matter, or thing, in, or about the manufacturing of snuff, and shall also give bond in the sum of five thousand dollars, with condition, that he or she shall, and will, from day to day, enter in a book, or on a paper to be kept for that purpose, all snuff, which he or she shall manufacture, or cause to be manufactured, and of the quantities, from day to day, by him or her sent out, or caused to be sent out of the house or building, where the same shall have been manufactured; and shall and will, on the first day of January, April, July, and October, in each year, render a just and true account of all the snuff, which he or she shall have manufactured or made, and sent out, or caused or procured to be manufactured, or made and sent out, first from the time of his or her entry and report aforesaid, until the day which shall first ensue, of the days above mentioned for the rendering of such account, and thenceforth, successively, from the time when such account ought to have been, and up to which, it shall have been last rendered, until the day next thereafter, of the days above-mentioned for the rendering of such account; producing therewith the original book or paper, whereon the entries, from day to day, to be made, as aforesaid, have been made, and shall, at the time of rendering each account, pay or secure the duties, which, by this act, ought to be paid upon the snuff, in the said account mentioned and stated: And if any such manufacturer shall omit to make any such entry or report, or to give any such bond as is hereinbefore directed, he or she shall forfeit and lose every mill, together with the mortars and other utensils thereto belonging, which he or she shall have or keep, for the performing of any process, matter, or thing, in, or about the manufacturing of snuff, and shall also forfeit and pay the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 5. *And be it further enacted*, That every refiner of sugar, who shall be such, immediately before, and on the thirtieth day of September next, shall, on the said day, and every refiner of sugar, who shall be, and become such, after the said day, shall, twenty days, at the least, previous to commencing the business of refining sugar, make true and exact entry and report in writing, at the office of inspection, which shall be nearest to the house or building, where he or she shall carry on, or intend to carry on, the said business, of every house or building, where such business shall be by him or her carried on, or intended so to be, and of every pan or boiler, together with the capacity of each, which he or she shall have, or employ, for the purpose of refining sugar, and shall also give bond in the sum of five thousand dol-

lars, with condition, that he or she shall and will enter or cause to be entered, in a book or paper, to be kept for that purpose, all sugar, which he or she shall refine, or cause to be refined, and of the quantities, from day to day, by him or her sent out, or caused to be sent out of the house or building, where the same shall have been refined, and shall, on the first day of January, April, July, and October, in each year, render a just and true account of all the refined sugar, which he or she shall have sent out, or caused or procured to be sent out, from the first time of his or her entry, and report aforesaid, until the day, which shall first ensue, of the days above mentioned, for the rendering of such account; and thenceforth, successively, from the time when such account ought to have been, and up to which it shall have been last rendered, until the day next thereafter of the days above mentioned for the rendering of such account, producing and showing therewith, the original book or paper, whereon the entries, from day to day, to be made as aforesaid, have been made; and he or she shall, at the time of rendering each account, pay or secure the duties, which by this act ought to be paid upon the refined sugar in the said account mentioned. And if any such refiner shall omit to make any such entry or report, he or she shall forfeit, and lose every pan or boiler which he or she shall have, and use, for the purpose of refining sugar, and shall also forfeit the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 6. *And be it further enacted*, That every such manufacturer of snuff shall, yearly, being thereunto required by an officer of inspection, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts which have been by him or her rendered, of the quantities of snuff by him or her manufactured or made, and sent out, or caused or procured to be manufactured or made, and sent out, have been, and are, just and true.

SEC. 7. *And be it further enacted*, That every refiner of sugar shall, yearly, being thereunto required by an officer of inspection, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts which have been by him or her rendered, of the quantities of refined sugar by him or her sent out of the house or building, where the same shall have been manufactured, or procured, or caused so to be sent out, have been just and true.

SEC. 8. *And be it further enacted*, That if any person shall knowingly, and with design, falsely swear or affirm, touching any of the matters herein before required to be verified by oath or affirmation, he or she shall be deemed guilty of wilful and corrupt perjury.

SEC. 9. *And be it further enacted*, That every manufacturer of snuff and every refiner of sugar, shall, at each time of rendering an account, as herein before required, make a true and particular report of the engines, implements, and utensils, of the several descriptions herein before mentioned, which he or she, at any time since that of rendering his or her last account, hath used or kept, and

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shall then have, use, or keep, for carrying on his or her trade or business, on pain of forfeiting, for each and every neglect or omission, all such engines, implements, and utensils, together with the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 10. *And be it further enacted*, That all snuff and refined sugar, which shall have been manufactured or made within the United States, in manner aforesaid, after the said thirtieth day of September next, whereof the duties aforesaid have not been duly paid or secured, according to the true intent and meaning of this act, shall, upon default being made in the paying or securing of the said duties, be forfeited, and shall and may be seized, as forfeited, by any officer of the inspection or of the customs.

SEC. 11. *And be it further enacted*, That it shall be lawful for every such manufacturer of snuff, or refiner of sugar, at his or her option, either to pay, upon the rendering of his or her account, as aforesaid, the duties which shall thereby appear to be due and payable, with a deduction or abatement of six per cent for prompt payment, or to give bond, with one or more sureties, to the satisfaction of the officer of inspection, to whom such account shall be rendered, for the payment of the said duties at the expiration of nine months thereafter: *Provided*, That no person, whose bond for any of the said duties shall remain unpaid, beyond the term allowed for the payment thereof, shall be entitled to future credit for any of the said duties, so long as such bond shall remain unpaid.

SEC. 12. *And be it further enacted*, That, from and after the said thirtieth day of September next, there shall be levied, collected, and paid (in addition to the duties now payable thereupon) upon all manufactured tobacco or snuff, and upon all refined sugar, which, after the said day, shall be imported into the United States, from any foreign port or place, the following rates and duties, to wit:

Upon tobacco, four cents per pound.

Upon snuff, twelve cents per pound.

Upon refined sugar, four cents per pound.

Which duties shall be collected in the same manner, by the same officers, under the like regulations, and subject to the like pains, penalties, and forfeitures, as now are collected the duties heretofore laid upon the said articles respectively; the act and acts concerning which are hereby declared to be, and shall be in as full force, for the collection of the additional duties hereby paid, as if the said act and acts were herein particularly recited and repeated.

SEC. 13. *And be it further enacted*, That, from and after the thirty-first day of December next, no refined loaf or lump sugar shall be imported into the United States, from any foreign port or place, except in ships or vessels of the burden of one hundred and twenty tons and upwards, and in casks or packages containing, each, not less than six hundred pounds, on pain of forfeiting the said ships or vessels, and the loaf and lump sugar imported therein, except in such casks or packages as aforesaid.

SEC. 14. *And be it further enacted*, That, from and after the thirtieth day of September next, no drawback of the duties from any manufactured tobacco, or snuff, or refined sugar, shall have been imported into the United States from any foreign port or place, shall be allowed, but the duties hereby laid upon snuff manufactured within the United States, and sugar refined within the same, shall and may be drawn back upon all such of the said snuff manufactured within the United States and upon all such of the said sugar refined within the United States, after the said thirtieth day of September next, which, after the said day, shall be exported from the United States to any foreign port or place; and adding to the drawback upon sugar so exported, three cents per pound, on account of duties paid upon the importation of raw sugar. *Provided*, That no drawback shall be allowed on the exportation of either of the said articles in any instance where the same shall amount to less than twelve dollars.

SEC. 15. *And be it further enacted*, That, in order to entitle the exporter or exporters to the benefit of the said allowances, he, she, or they shall, previous to the putting or lading any of the said snuff or refined sugar on board of any ship or vessel for exportation, give six hours' notice at the least, to the proper officer of inspection of the port from which the said snuff or sugar shall be intended to be exported, of his, her, or their intention to export the same, and of the number of packages containing the same, and the respective marks thereof, and the place or places where deposited, and of the place to which, and ship or vessel in which they or either of them shall be so intended to be exported. Whereupon, it shall be the duty of the said officer to inspect, by himself or deputy, the packages so notified for exportation, and the same, after such inspection, shall be laden on board the same ship or vessel, of which notice shall have been given, and in the presence of the same officer or his deputy, who shall have inspected the same; which officer, after the same shall have been so laden on board, shall certify to the Collector of the District, the quantity and particulars of the article or articles so laden for exportation.

SEC. 16. *Provided nevertheless, and be it further enacted*, That the said allowance shall not be made, unless the said exporter or exporters shall make oath or affirmation, that the said snuff or sugar so noticed for exportation and laden on board such ship or vessel, are truly intended to be exported to the place, whereof notice shall have been given, and are not intended to be relanded within the United States, and that he or she doth verily believe that the duties thereupon charged by this act, have been duly paid or secured to be paid; and shall also give bond to the Collector, with two sureties, one of whom shall be the master, or other person having the command or charge of the ship or vessel in which the said snuff or sugar shall be intended to be exported; the other, such sufficient person as shall be approved by the said Collector, in the full value, in the judgment of the said Collector, of



the said snuff or sugar so intended to be exported, with condition that the said snuff or sugar (the dangers of the seas and enemies excepted) shall be really and truly exported to, and landed in, some port or place without the limits of the United States, and that the said snuff or sugar shall not be unshipped from on board of the said ship or vessel, whereupon the same shall have been laden for exportation, within the said limits, or any ports or harbors of the United States, or reloaded in any other part of the same, (shipwreck or other unavoidable accident excepted.)

SEC. 17. *Provided also, and be it further enacted*, That the said allowance shall not be paid until nine months after the said snuff or sugar shall have been so exported: *And provided also*, That whenever the owner of any ship or vessel, on board of which, any such snuff or sugar are laden for exportation, shall make known to the Collector, previous to the departure of such ship or vessel from the port where such snuff or sugar are laden, that such ship or vessel is not going to proceed on the voyage intended, or the voyage is altered, it shall be lawful for the Collector to grant a permit for reloading the same.

SEC. 18. *And be it further enacted*, That if any of the said snuff or sugar, after the same shall have been shipped for exportation, shall be unshipped for any purpose whatever, either within the limits of any part of the United States, or within four leagues of the coast thereof, or shall be reloaded within the United States, from on board the ship or vessel, wherein the same shall have been laden for exportation, unless the voyage shall not be proceeded on, or shall be altered as aforesaid, or unless in case of necessity or distress, to save the ship and goods from perishing, which shall be immediately made known to the principal officer of the customs, residing at the port nearest to which such ship or vessel shall be, at the time such necessity or distress shall arise, then not only the snuff or sugar so unshipped, together with the casks, vessels, and cases containing the same, but also the ship or vessel, in, or on board of which, the same shall have been so shipped or laden, together with the guns, furniture, ammunition, tackle and apparel, and also the ship, vessel, or boat, into which the said snuff or sugar shall be unshipped or put, after the unshipping thereof, together with her guns, furniture, ammunition, tackle, and apparel, shall be forfeited, and may be seized by any officer of the customs or of inspection.

SEC. 19. *And be it further enacted*, That the bonds to be given, as aforesaid, shall, and may be discharged, by producing, within one year from the respective dates thereof (if the same shall be shipped to any part of Europe or America, and within two years, if shipped to any part of Asia or Africa; and if the delivery of the snuff or sugar, in respect to which the same shall have been given, be at any place, where a consul or other agent of the United States resides) a certificate of such consul or agent, or if there be no consul or agent, then a certificate of any two known and reputable American merchants resid-

ing at the said place; and if there be not two such merchants residing at the said place, then a certificate of any two reputable merchants testifying the delivery of the said snuff or sugar, at the said place. Which certificate shall, in each case, be confirmed by the oath or affirmation of the master and mate, or other like officer of the vessel in which the said snuff or sugar shall have been exported; and when such certificate shall be from any other than a consul or agent, or merchants of the United States, it shall be a part of the said oath or affirmation, that there were not, upon diligent inquiry, to be found two merchants of the United States at the said place: *Provided always*, That in case of death, the oath or affirmation of the party dying shall not be deemed necessary: *And provided further*, That the said oath or affirmation, taken before the chief civil magistrate of the place of the said delivery, and certified under his hand and seal, shall be of the same validity as if taken before a person qualified to administer oaths within the United States; or such bonds shall and may be discharged, upon proof that the snuff or sugar so exported, were taken by enemies, or perished in the sea, or destroyed by fire: The examination and proof of the same being left to the judgment of the collector of the customs, naval officer, and chief officer of inspection, or any two of them, of the place from which such snuff or sugar shall have been exported. And in cases wherein the certificates herein directed cannot be obtained, the exporter or exporters of such snuff or sugar shall nevertheless be permitted to offer such other proof as to the delivery of the said snuff or sugar, without the limits of the United States, as he or they may have; and if the same shall be deemed sufficient by the said Collector, he shall allow the same, except when the drawback to be allowed shall amount to one hundred dollars or upwards: In all which cases, the proofs aforesaid shall be referred to the Comptroller of the Treasury, whose decision thereon shall be final.

SEC. 20. *And be it further enacted*, That it shall be lawful to export, directly, from any manufactory of snuff, or of refined sugar, to any foreign port or place, any snuff or refined sugar which shall have been manufactured at such manufactory, after the said thirtieth day of September next, free from duty: *Provided*, That the same proceedings be had, in all respects, in order thereto, which are herein before prescribed, in order to the obtaining the benefit of the drawbacks of the duties which have been paid, or secured, upon any snuff or sugar exported to a foreign port or place.

SEC. 21. *And be it further enacted*, That all penalties and forfeitures which shall be incurred pursuant to this act, shall be divided and distributed, one-half thereof to the use of the United States, and the other half thereof to the use of the person who, if an officer of inspection, shall first discover, or if not an officer of inspection, shall first give information of the cause, matter, or thing, whereby any of the said penalties or forfeitures shall have been incurred.

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SEC. 23. *And be it further enacted*, That this act shall continue and be in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

Approved, June 5, 1794.

An Act in addition to the "Act for making further and more effectual provision for the protection of the frontiers of the United States."

*Be it enacted, &c.*, That if any commissioned officer in the troops of the United States shall, while in the service of the United States, die, by reason of wounds received in actual service of the United States, and shall leave a widow, or, if no widow, shall leave a child or children, under age, such widow, or, if no widow, such child or children, shall be entitled to, and receive the half of the monthly pay, to which the deceased was entitled, at the time of his death, for and during the term of five years: And in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half-pay, for the remainder of the term, shall go to the child or children of such deceased officer, while under the age of sixteen years; and, in like manner, the allowance to the child or children of such deceased, where there is no widow, shall be paid no longer than while there is a child or children under the age aforesaid: *Provided*, That no greater sum shall be allowed, in any case, to the widow, or to the child or children of any officer, than the half pay of a lieutenant-colonel.

SEC. 2. *And be it further enacted*, That the Army be in future paid in such manner that the arrears shall at no time exceed two months.

SEC. 3. *And be it further enacted*, That to such of the troops as are or may be employed on the frontiers, and under such special circumstances as, in the opinion of the President of the United States, may require an augmentation of some parts of their rations, the President be authorized to direct such augmentation as he may judge necessary, not exceeding four ounces of bread, two ounces of flour, and half a gill of rum or whiskey, in addition to each ration, and half a pint of salt to one hundred rations.

Approved, June 7, 1794.

An act to continue in force, for a limited time, the act supplementary to the act for the establishment and support of Light-houses, Beacons, Buys, and Public Piers.

*Be it enacted, &c.*, That the act, entitled "An act supplementary to the act for the establishment and support of light-houses, beacons, buoys, and public piers," be, and the same is hereby, continued in force, until the first day of July, one thousand seven hundred and ninety-five, so far as the same provides for defraying the necessary expense of supporting light-houses, beacons, buoys, and public piers, and the stakeage of channels on the seacoast.

Approved, June 7, 1794.

An Act laying additional Duties on Goods, Wares, and Merchandise, imported into the United States.

*Be it enacted, &c.*, That, from and after the last day of June, instant, there shall be levied, collected, and paid, upon the following articles, imported into the United States, in ships or vessels of the United States, the several duties hereinafter mentioned, over and above the duties now payable by law, viz:

On coffee, clayed or lump sugar, per pound, one cent.

On cocoa, per pound, two cents.

On cheese, per pound, three cents.

On boots, per pair, twenty five cents.

On shoes and slippers for men and women, and on clogs and goloshoes, per pair, five cents.

On shoes and slippers for children, per pair, three cents.

On coal, per bushel, one half a cent.

On millinery, ready made, artificial flowers, feathers, and other ornaments for women's head-dresses, and on dolls, dressed and undressed, 5 per cent. ad valorem.

On cast, slit, and rolled iron, and generally on all manufactures of iron, steel, tin, pewter, copper, brass, or of which either of those metals is the article of chief value, not being otherwise particularly enumerated, (brass and iron wire, locks, hinges, hoes, anvils, and vices, excepted,) 5 per cent. ad valorem.

On carpets and carpeting, 5 per cent. ad valorem.

On leather, tanned or tawed, and generally all manufactures of leather, or of which leather is the article of chief value, not otherwise particularly enumerated, 5 per cent. ad valorem.

On medicinal drugs, except those commonly used in dying, 5 per cent. ad valorem.

On mats and floor cloths, 5 per cent. ad valorem.

On hats, caps, and bonnets, of every sort, 5 per cent. ad valorem.

On gloves, mittens, stockings, fans, buttons, and buckles, of every kind, 5 per cent. ad valorem.

On sheathing and cartridge paper, 5 per cent. ad valorem.

On all powders, pastes, ball, balsams, ointments, oils, waters, washes, tinctures, essences, or other preparations or compositions, commonly called sweet scents, or odors, perfumes, or cosmetics, and on all dentifrice, powders, or preparations for the teeth or gums, 5 per cent. ad valorem.

On gold, silver, or plated wares, gold and silver lace, jewelry, and paste work, clocks and watches, and the parts of either, 5 per cent. ad valorem.

On groceries, to wit: cinnamon, cloves, mace, nutmegs, ginger, aniseed, currants, dates, prunes, raisins, sugar-candy, oranges, lemons, limes, and generally all fruits and comfits, olives, capers, pickles of every sort, oil, and mustard in flour, 5 per cent. ad valorem.

On all marble, slate, or other stone, on bricks, tiles, tables, mortars, and other stone, and generally on all glass, except window glass, and on all stone and earthen ware, 5 per cent. ad valorem.

On cabinet wares, and all manufactures of wood, or of which wood is the material of chief value, 5 per cent. ad valorem.

On all manufactures of cotton or linen, or of muslins of cotton and linen, or of which cotton or linen is the material of chief value, being printed, stained, or colored, 5 per cent. ad valorem.

On carriages, and parts of carriages,  $4\frac{1}{2}$  per cent. ad valorem.

SEC. 2. *And be it further enacted*, That after the said last day of June, instant, there shall be laid, levied, and collected, in addition to the present duty thereupon, a duty of two and a half per cent. ad valorem upon all goods, wares, and merchandise, which, if imported in ships or vessels of the United States, are now chargeable, by law, with a duty of seven and a half per cent. ad valorem.

SEC. 3. *And be it further enacted*, That the fourth section of the act, entitled "An act for raising a further sum of money for the protection of the frontiers, and for other purposes therein mentioned," whereby an additional duty of two and a half per cent. ad valorem, was laid upon certain goods, wares, and merchandise, be, and the same is hereby, continued in force, until the first day of January, one thousand seven hundred and ninety-seven.

SEC. 4. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties, above specified and imposed, in respect to all goods, wares, and merchandise, which, after the said last day of June, instant, shall be imported in ships or vessels not of the United States.

SEC. 5. *And be it further enacted*, That all duties which shall be paid, or secured to be paid, by virtue of this act, shall be returned or discharged, in respect to all such goods, wares, or merchandise, whereupon they shall have been so paid, or secured to be paid, as within twelve calendar months after payment made or security given, shall be exported to any foreign port or place, except one per centum on the amount of the said duties, which shall be retained, as an indemnification for whatever expense may have accrued concerning the same.

SEC. 6. *And be it further enacted*, That the act, entitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," shall extend to, and be in full force for the collection of the duties specified and laid in and by this act, and generally for the execution thereof, as fully and effectually as if every regulation, restriction, penalty, provision, clause, matter, and thing, therein contained, had been herein re-inserted and re-enacted.

SEC. 7. *And be it further enacted*, That nothing in this act shall be construed to extend to, or affect the act, entitled "An act prohibiting for a limited time the exportation of arms and ammunition, and encouraging the importation of the same."

SEC. 8. *And be it further enacted*, That this act shall continue in force until the first day of January, one thousand seven hundred and ninety-seven, and no longer.

Approved, June 7, 1794.

3D CON.—47

#### An Act concerning Invalids.

*Be it enacted, &c.*, That the Secretary of the War Department be, and he is hereby directed, to place upon the list of invalid pensioners of the United States all persons who have been returned as such by the Judges of the several Districts, under the act of Congress of the twenty-eighth of February, one thousand seven hundred and ninety-three, entitled "An act to regulate the claims to invalid pensions, and who, by legal proofs, are by him found to come clearly within the provisions of the said act, and are reported as having complete evidence of their claims in the report of the said Secretary upon that subject, made to Congress the twenty-fifth day of April, one thousand seven hundred and ninety-four; and all persons placed, by virtue of this act, on the list of invalid pensioners, shall receive such sums as the returns of the District Judges have respectively specified, and be paid in the same manner as invalid pensioners are paid, who have been heretofore placed on the list: *Provided*, That every commissioned officer who shall, by virtue of this act, be placed on the pension list as entitled to a sum less than a full pension, shall receive such pension only upon compliance with the same rule respecting a return of the commutation which he may have received, as is provided for in the case of Captain David Cook, by an act of Congress, passed December the sixteenth, one thousand seven hundred and ninety-one.

Approved, June 7, 1794.

#### An Act supplementary to the act, entitled "An act to promote the progress of Useful Arts."

*Be it enacted, &c.*, That all suits, actions, process, and proceedings, heretofore had in any District Court of the United States, under an act passed the tenth day of April, in the year one thousand seven hundred and ninety, entitled "An act to promote the progress of Useful Arts," which may have been set aside, suspended, or abated, by reason of the repeal of the said act, may be restored, at the instance of the plaintiff or defendant, within one year from and after the passing of this act, in the said Courts, to the same situation in which they may have been when they were so set aside, suspended, or abated; and that the parties to the said suits, actions, process, or proceedings, be, and are hereby entitled to proceed in such cases as if no such repeal of the act aforesaid had taken place: *Provided always*, That, before any order or proceeding, other than that for continuing the same suits, after the reinstating thereof, shall be entered or had, the defendant or plaintiff, as the case may be, against whom the same may have been reinstated, shall be brought into Court by summons, attachment, or such other proceeding, as is used in other cases for compelling the appearance of a party.

Approved June 7, 1794.

#### An Act to amend the act, entitled "An act to enable the Officers and Soldiers of the Virginia Line on Continental Establishment to obtain titles to certain

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lands lying Northwest of the river Ohio, between the Little Miami and Sciota.

*Be it enacted, &c.,* That all and every officer and soldier of the Virginia line on Continental Establishment, his or their heirs or assigns, entitled to bounty lands on the Northwest side of the river Ohio, between the Sciota and Little Miami rivers, by the laws of the State of Virginia, and included in the terms of cession of the said State to the United States, shall, on producing the warrant, or a certified copy thereof, and a certificate, under the seal of the office where the said warrants are legally kept, that the same or a part thereof remains unsatisfied, and, on producing the survey, agreeably to the laws of Virginia, for the tract or tracts to which he or they may be entitled, as aforesaid, to the Secretary of the Department of War, such officer and soldier, his or their heirs or assigns, shall be entitled to and receive a patent for the same from the President of the United States; any thing in any former law to the contrary notwithstanding; *Provided,* That no letters patent shall be issued for a greater quantity of land than shall appear to remain due on such warrant; and that before the seal of the United States shall be affixed to such letters patent, the Secretary of the Department of War shall have endorsed thereon that the grantee therein named, or the person under whom he claims, was originally entitled to such bounty lands; and every such letters patent shall be countersigned by the Secretary of State, and a minute of the date thereof, and the name of the grantee shall be entered of record in his office, in a book to be specially provided for that purpose.

Approved, June 9, 1794.

An Act declaring the consent of Congress to an act of the State of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a Health Officer.

*Be it enacted, &c.,* That the consent of Congress be, and is hereby granted and declared to the operation of an act of the General Assembly of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, entitled "An act to appoint a Health Officer for the port of Baltimore, in Baltimore county," so far as to enable the State aforesaid to collect a duty of one cent per ton on all vessels coming into the district of Baltimore from a foreign voyage, for the purposes in the said act intended.

SEC. 2. *And be it further enacted,* That this act shall continue in force to the end of the next session of Congress, and no longer.

Approved, June 9, 1794.

An Act making appropriations for certain purposes therein expressed.

*Be it enacted, &c.,* That there be appropriated for the several purposes hereinafter specified, the respective sums following, to wit: To defray the expenses which shall be incurred pursuant to the act, entitled, "An act to provide a naval armament," six hundred and eighty-eight thousand eight hundred and eighty-eight dollars and eighty-two

cents; in addition to the sum heretofore granted for the erection of fortifications for the protection of ports and harbors, thirty thousand dollars; for the payment of a sum granted to Lieutenant Colonel Tonsard, in lieu of his pension for life, three thousand six hundred dollars; for the payment of the salary allowed to the officer who shall be appointed to superintend the receiving, safe-keeping, and distribution of the military stores of the United States, pursuant to the act of the second of April last, eight hundred and seventy-five dollars; for the salary of an additional clerk and office rent, in the Department of State, four hundred and eighty-four dollars and seventy-eight cents; for the payment and subsistence of Captain John Inglis, of the North Carolina line, one hundred and eight dollars and ninety one cents; to defray the further contingent expenses of the House of Representatives, authorized during the present session, one thousand dollars; for the service of the War Department, in addition to the sums heretofore appropriated, the sums following to wit: To defray the expense of a corps of Artillerists and Engineers, established during the present session, sixty-six thousand four hundred and twenty-nine dollars and eighty-seven cents; for the further protection and defence of the South-western frontier, two hundred thousand dollars; for the purposes of the act directing a detachment from the Militia of the United States, two hundred thousand dollars; for the equipment of galleys or other vessels, pursuant to an act of the present session, eighty thousand dollars; for the expense of additional clerk hire in the Department of War, seven hundred and fifty dollars; for defraying the contingent expenses of Government, to be applied under the direction of the President of the United States, according to the regulations and provisions provided in respect of a sum of ten thousand dollars heretofore appropriated for the like purpose, twenty thousand dollars; amounting, in the whole, to one million two hundred and ninety-two thousand one hundred and thirty-seven dollars and thirty-eight cents; which several sums shall be paid out of the proceeds of such revenues as shall have been provided during the present session of Congress.

SEC. 2. *And be it further enacted,* That the President of the United States be empowered to borrow, on behalf of the United States, of the Bank of the United States, (which is hereby authorized to lend the same,) or of any other body or bodies politic, person or persons, any sum not exceeding in the whole, one million of dollars, to be applied to the purposes aforesaid, and to be reimbursed, as well interest as principal, out of the proceeds of the said revenues.

SEC. 3. *Provided always, and be it further enacted,* That there shall be reserved out of the proceeds of the said revenues a sum sufficient to pay the interest of whatever moneys may be borrowed pursuant to the act, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations;" and further to continue in force the act, entitled "An act providing the means of inter-

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course between the United States and foreign nations;" and such sum is hereby pledged and appropriated for that purpose, according to the terms of the contract or contracts which shall or may be made concerning the said moneys. And the faith of the United States is hereby pledged to make such further provision therefor as may be necessary.

Approved, June 9, 1794.

An Act making certain alterations in the act for establishing the Judicial Courts, and altering the time and place of holding certain Courts.

*Be it enacted, &c.*, That the District Judges of the United States be authorized to appoint a commissioner or commissioners, before whom appraisers of ships or vessels, or goods, wares, and merchandise, seized for breaches of any law of the United States, may be sworn or affirmed; and that such qualifications made before such commissioner or commissioners shall be, to all intents and purposes, as effectual as if the same were taken before the said Judges in open Court.

SEC. 2. *And be it further enacted*, That the stated terms of the District Courts of Massachusetts, Pennsylvania, and Georgia, be changed, and that in future the said Courts in Massachusetts shall be held on the third Tuesday in March, the fourth Tuesday in June, the second Tuesday in September, and the first Tuesday in December. In Pennsylvania, on the third Mondays in February, May, August, and November. And in Georgia, at the times and places following: In the City of Savannah on the second Tuesdays in February, May, and August; and in Augusta on the second Tuesday in November. And that the Circuit Court of the District of Delaware hereafter commence on the second Monday in June, instead of the twenty-seventh day of April—any law to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That the State of North Carolina shall be divided into three districts, in which the District Court of the said State shall be held at such times and places as are already ascertained by law, that is to say: the District of Wilmington to include all the counties of the State districts of Morgan, Salisbury, Fayetteville, and Wilmington; the district of Newbern to include all the counties of the State districts of Hillsborough, Halifax, and Newbern; and Edenton to include all the counties of the district of Edenton: and that all process, pleas, actions, suits, and other proceedings, originating in the districts, respectively, shall be returnable to the session of said Court to be held at the place directed by law, within the same district where the cause commenced, and there to be kept, with the record thereof, until the final end and determination of the same. And, to the end that suitors, witnesses, and all others concerned, may have notice of this alteration in the said Courts, the Marshal of the said district of North Carolina is hereby required to make the same known, by proclamation, on or before the first day of August next.

SEC. 4. *And be it further enacted*, That any

person living within either of the districts aforesaid, who hereafter shall be arrested by virtue of process issuing out of the Court of either of the said districts other than that in which he shall so reside, shall be discharged therefrom, on his entering his appearance and giving bail to the action in the Court of the district in which he shall so reside, in like manner, and to the like effect, as if the said process had originally been issued out of the Court within the said last-mentioned district.

SEC. 5. *And be it further enacted*, That all process, actions, pleas, suits, and other proceedings, which have been commenced and returned to the separate several sessions of the District Court, at such places appointed by law for holding thereof, shall be tried at the place in each district where the same were first made returnable.

SEC. 6. *And be it further enacted*, That the Clerk of the said District Court shall, at each of the places aforesaid, keep a distinct docket and record of such business, returnable as aforesaid, or which may be returned to the session to be held at the said places, respectively, at which places of return the said business shall be finally heard and determined as aforesaid.

SEC. 7. *And be it further enacted*, That so much of the act to establish the Judicial Courts of the United States as is or may be construed to require the attendance of the Marshals of all the districts at the Supreme Court, shall be, and the same is hereby, repealed; and that the said Court shall be attended during its session by the Marshal of the district only in which the Court shall sit, unless the attendance of the Marshals of other districts shall be required by special order of the said Court.

SEC. 8. *And be it further enacted*, That, from and after the last day of September next, the District Court for the State of Kentucky shall be held in the town of Frankfort—anything in any former act to the contrary notwithstanding.

Approved, June 9, 1794.

An Act laying Duties on property sold at auction.

*Be it enacted, &c.*, That, from and after the thirtieth day of September next, there shall be levied, collected, and paid, for the use of the United States, upon all sales by way of auction, as hereinafter described, which shall be made within the United States, the respective rates and duties following, to wit: The sum of one-fourth part of a dollar for every hundred dollars of the purchase money arising by sale at auction, of any interest, right, or estate, in any lands, tenements, or hereditaments, and of any utensils in husbandry and farming stock, ships and vessels, and the sum of one-half of a dollar, for every hundred dollars of the purchase money, arising by sale at auction, of all other goods, chattles, rights, and credits whatsoever, and at the same rate for any greater or lesser sum, except as hereinafter excepted: The said respective rates and duties to be paid by the auctioneer or person making such sales at auction, out of the moneys arising from each and every such sale: *Provided, also*, That nothing in this act contained shall extend to any sale or sales by

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auCTION, of estates, goods, or effects, made pursuant to, or in execution of, any rule, order, decree, sentence, or judgment, of any Court of the United States, or of either of them; or made in virtue, or by force of any distress for rent, or other cause, for which a distress is allowed by law; or made in consequence of any bankruptcy, or insolvency, pursuant to any law concerning bankruptcies or insolvencies; or made in consequence of any general assignment of property and effects, for the benefit of creditors; or made by or on behalf of executors or administrators; or made of the produce of the land, upon the land where such produce was raised; or made of any farming utensils, stock, or household furniture, by persons removing from the place of their former residence, where the amount of each sale of such farming utensils, stock, or household furniture, shall not exceed two hundred dollars; or made pursuant to the directions of any law of the United States, or of either of them, touching the collection of any tax or duty; or by disposal by auction of public property of the United States, or of any State; nor to any such sale or sales by auction of ships, their tackle, apparel, and furniture, or the cargoes thereof, which shall be wrecked or stranded within the United States, and sold for the benefit of the insurers or proprietors thereof.

SEC. 2. *And be it further enacted*, That no person, after the said thirtieth day of September next, shall exercise the trade or business of an auctioneer, by the selling of any estates, goods or effects whatsoever by auction, or any other mode of sale, whereby the best or highest bidder is deemed to be the purchaser, unless such person shall have a license, or other special authority, continuing in force pursuant to some law of a State, or issued pursuant to the directions of this act, on pain of forfeiting, for every such sale at auction, the sum of four hundred dollars, together with the sums or duties payable by this act upon the estates, goods, or effects so sold: *Provided, however*, That nothing herein contained shall be construed to require a license for the sale at auction of any estate, goods, chattles, or other thing, which by this act are exempted from duty.

SEC. 3. *And be it further enacted*, That every person, who, before the said thirtieth day of September next, shall have a license or special authority, pursuant to any law of any State, for exercising the said trade or business of an auctioneer, shall, before or upon the said day, and every person, who, after the said day, shall have such special license or authority, shall, within thirty days after the obtaining or receiving of the same, give notice thereof in writing, under his hand, to the office of inspector nearest to the place where he shall carry on or intend to carry on the said trade or business of an auctioneer, specifying in such notice the date or commencement of such license, or other special authority, the term for which the same was granted or given, by whom, and by what law of a State, the same was granted or given; and shall also give bond to the United States, in the sum of one thousand five hundred dollars, to be taken by the officer, at whose office

the notice aforesaid shall be given, with condition that he will, on the first day of January, April, July, and October, in each year, while he shall continue to exercise the said trade or business, render to the person or persons, who, on behalf of the United States, shall be authorized to receive the same, a true and particular account in writing, of the moneys or sums, for which any estates, goods, or effects, have been sold, at every sale at auction by him made, and of the several articles, lots and parcels, which shall have been sold, the price of each article, lot, or parcel, in every such sale, by whom bought, that is to say: first from the date of such bond, until such of the aforesaid days, as shall accrue next thereafter, and thenceforth from the day to which an account shall have been last rendered, until such of the said days, as shall next thereafter ensue, and so on in succession, from one of the said days to another, so long as he shall continue to exercise his said trade or business, and, also, shall pay all such sums of money as shall be due to the United States, upon the said sales, according to the true intent and meaning of this act; which sums he is hereby authorized and directed to retain, out of the produce of each sale made as aforesaid. And a like notice and bond shall be given in like manner, as often as any such license, or special authorities, shall have expired and been renewed. And if any person shall, after the said thirtieth day of September next, by virtue or color of any such license, or special authority, as aforesaid, make any sale or sales at auction, without having given bond, as aforesaid, within the time for that purpose prescribed, or without renewing such bond upon the expiration and renewal of any such license, or special authority, he shall forfeit and pay, for every such sale by him made, the sum of four hundred dollars, together with the sums or duties payable by this act, upon the estates, goods, or effects, so sold.

SEC. 4. *And be it further enacted*, That the several supervisors of the revenue may, within their respective districts, and upon request of any person or persons desirous thereof, shall grant licenses, without fee or reward, for a term not exceeding one year, at one time, to exercise the trade or business of an auctioneer; and such licenses, upon like request, may, and shall, from time to time, renew: *Provided*, That no such license shall be granted or renewed until the person or persons requesting the same shall have become bound to the United States, with one or more sureties, to the satisfaction of the supervisor, of whom such license shall be requested, in the sum of one thousand five hundred dollars, with like condition as is hereinbefore prescribed for persons having licenses by virtue of some law of a State: *And provided further*, That no such license shall be granted to carry on the said trade or business, in any city, town, or county, of any State, in respect to which provision hath been made by any law of such State, for the allowing and regulating of the said trade and business therein.

SEC. 5. *And be it further enacted*, That every person who shall have a license from a supervisor

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of the revenue, continuing in force, shall and may retain, in order to the payment of the duties hereby imposed, all such sum and sums of money as shall be due and payable upon any estates, goods, or effects, by him sold at auction, as aforesaid, according to the true intent and meaning of this act.

SEC. 6. *And be it further enacted*, That the accounts to be rendered, and the duties to be from time to time paid as aforesaid, by any auctioneer, shall be rendered and paid to the inspector of the revenue, within whose survey such auctioneer shall exercise his said trade or business, or to his deputy duly appointed under his hand and seal, and such auctioneer shall make oath or affirmation, according to the best of his knowledge and belief, to the truth of every account which he shall render before the officer or person to whom such account shall be rendered, and who is hereby authorized to administer the said oath or affirmation; in default of which such account shall not be deemed to be duly rendered, according to the condition of the bond of such auctioneer. And to the end that such accounts may be accurately kept and rendered, it is hereby made the duty of every auctioneer to enter, from day to day, as often as any sale shall be made, in a book, or on a paper to be kept by him for that purpose, the amount and particulars of the respective sales by him made; which book or paper shall, at all reasonable times, upon request made, be submitted for examination to the officer of inspection, within whose survey or division such auctioneer shall be, on pain of forfeiting, for every refusal to comply with such request, the sum of five hundred dollars.

SEC. 7. *And be it further enacted*, That if it shall appear to the satisfaction of the supervisor, within whose district he shall be, that an auctioneer hath acted agreeably to the condition of the bond which he shall have given, and to the directions of this act, during the time to which his said bond shall relate, the same having expired, then, and in every such case, the said supervisor shall cause such bond to be delivered up; but in case no such account shall be delivered, as hereinbefore mentioned, or if it shall appear, that any such account was not truly made, or that the party hath acted in any other respect contrary to the true intent and meaning of his bond and of this act, it shall be the duty of such supervisor of the revenue to cause such bond to be prosecuted according to law, and in case of a verdict or judgment against the defendant, he shall, afterwards, upon every sale by him of any estates, goods, or effects, at auction, be liable to all the penalties, which may be incurred by this act, for acting as an auctioneer without license.

SEC. 8. *And be it further enacted*, That if any sale at auction of any lands, tenements, or hereditaments, shall be, or become void, by reason of defect of title, the supervisor of the revenue, within whose district such sale shall be, is hereby authorized and required, upon due and sufficient proof of such sale being or becoming void, for the reason aforesaid, to cause to be remitted the duty or duties thereupon otherwise payable according to this act.

SEC. 9. *And be it further enacted*, That every auctioneer, out of the proceeds of the duties which he shall retain and pay as aforesaid, shall be allowed a commission of one per centum, upon the amount thereof, for his trouble in and about the same.

SEC. 10. *And be it further enacted*, That it shall be lawful for the President of the United States, and he is hereby empowered, to make such allowances for compensations to the officers of inspection employed in the collection of the duties aforesaid, and for incidental expenses, as he shall judge reasonable, not exceeding in the whole two and a half per centum of the total amount of the said duties collected.

SEC. 11. *And be it further enacted*, That if any person shall wilfully swear or affirm falsely, touching any matter hereinbefore required to be verified by oath or affirmation, he shall suffer the pains and penalties which, by law, are prescribed for wilful and corrupt perjury; and, if an officer, shall forfeit his office, and be incapable of afterwards holding any office under the United States.

SEC. 12. *And be it further enacted*, That all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered, in the name of the United States, or of the supervisor of the revenue, within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person, who, if an officer of inspection, shall first discover, if other than an officer of inspection, shall first inform of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred. And where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a District Court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any Court of the State, holden within the said district, having jurisdiction in like cases.

SEC. 13. *And be it further enacted*, That this act shall continue and be in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

Approved, June 9, 1794.

## RESOLUTIONS.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be authorized to employ, as despatch-boats, such of the revenue cutters of the United States, as the public exigencies may require.

Approved, March 20, 1794.

*Resolved, &c.*, That an embargo be laid on all ships and vessels in the ports of the United States, whether already cleared out, or not, bound to any



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foreign port or place, for the term of thirty days; and that no clearances be furnished, during that time, to any ship or vessel bound to such foreign port or place, except ships or vessels under the immediate direction of the President of the United States: And that the President of the United States be authorized to give such instructions to the revenue officers of the United States, as shall appear best adapted for carrying the said resolution into full effect.

Approved, March 26, 1794.

*Resolved, &c.,* That, during the continuance of the present embargo, no registered vessel, having on board goods, wares, or merchandise, shall be allowed to depart from one port of the United States to any other port within the same, unless the master, owner, consignee, or factor, shall first give bond with one or more sureties to the Collector of the district from which she is about to depart, in a sum of double the value of the vessel and cargo, that the said goods, wares, or merchandise, shall be reloaded in some port of the United States; which bond, and also a certificate from the Collector of the district, where the same may be reloaded, shall, by the Collectors, respectively, be transmitted to the Secretary of the Treasury. That the several Collectors be prohibited from granting a clearance to any foreign ship or vessel, in any case whatever, during the continuance of the present embargo; and all armed vessels, possessing public commissions from any foreign Power, (letters of marque excepted,) are to be considered as not liable to the embargo.

Approved, April 2, 1794.

*Resolved, &c.,* That the present embargo be continued, and every regulation concerning the same, shall be in full force until the twenty-fifth day of May next.

Approved, April 18, 1794.

*Resolved, &c.,* That the President of the United States be authorized to direct clearances to be granted to any ships or vessels belonging to citizens of the United States, which are now loaded, bound from any port in the United States, for any port beyond the Cape of Good Hope; any thing in the resolution for laying the embargo, to the contrary notwithstanding: *Provided,* That, before the Collector of either of the districts of the United States, shall grant clearances, or any such vessel shall sail, the owners thereof shall give sufficient security, to the satisfaction of such Collector, that she shall not unlade her cargo, or any part thereof, at any port or place, previous to her arrival at the Cape of Good Hope.

Approved, May 7, 1794.

*Resolved, &c.,* That the Secretary of the Department of War be, and he is hereby directed to make out an exact list of the names of each person returned to him, as invalid pensioners, by the Judges of the Circuit Courts of the United States (signing themselves as Commissioners,) under the act of Congress, passed the twenty-third of March, one thousand seven hundred and ninety-two, entitled "An act to provide for the settlement of claims of widows and orphans, barred by the limitations heretofore established, and to regulate the claims to invalid pensions," and return to the Judge of each district one copy of such list, stating particularly the district from which each person was returned, and that all are by Congress directed not to be entered on the pension list. And the said Secretary is further directed to return to each District Judge a list of the names of all such persons as have been returned as invalid pensioners by the District Judges, under the act of Congress, passed the twenty-eighth of February, one thousand seven hundred and ninety-three, entitled "An act to regulate claims to invalid pensions;" distinguishing those who have been placed on the pension list, and those who have not been placed on the same, by reason of their testimony being incomplete, stating, particularly, the legal requisite or requisites wanting in the evidence of each; and naming such of them whose evidence of leaving service is not lodged in his office. And the Judges of the several District Courts, upon receipt of the above-described lists and statements, from the Secretary for the Department of War, are hereby directed forthwith to publish the same, in one or more of the newspapers published in their respective districts, adding to such publication the time when the act regulating the claims to invalid pensions expires.

Approved, June 9, 1794.

*Resolved, &c.,* That it shall be the duty of the respective Clerks of the several District Courts of the United States, to return true copies of the tables of fees payable in the Supreme or Superior Courts of the State in which such Clerk resides, to the Attorney General of the United States, on or before the fifth day of December next.

Approved, June 9, 1794.

*Resolved, &c.,* That the following article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States; which when ratified by three-fourths of the said Legislatures shall be valid as a part of the said Constitution, viz:

The judicial power of the United States, shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

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## ACTS PASSED AT THE SECOND SESSION.

An Act to authorize the President to call out and station a corps of Militia in the four Western counties of Pennsylvania for a limited time.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a force not exceeding two thousand five hundred non-commissioned officers, musicians, and privates, to be composed of the militia of the United States, be called forth and stationed in the four Western counties of Pennsylvania, if, in the judgment of the President, the same shall be deemed necessary to suppress unlawful combinations, and to cause the laws to be duly executed: *Provided,* That the term of service of any one quota of the militia to be called into actual service, pursuant to this act, shall not exceed three months after they shall have arrived at the place of rendezvous.

Sec. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized, if, in his judgment, it should be deemed expedient, to direct voluntary enlistments of any of the militia of the United States, in lieu of all or any part of the force herein authorized to be called forth, for the purposes aforesaid, for a term of service not exceeding thirty days after the commencement of the next session of Congress.

FREDERICK A. MUHLENBERG,  
*Speaker of the House of Representatives.*

JOHN ADAMS,  
*Vice President of the United States,  
and President of the Senate.*

Approved, November 9, 1794.

G. WASHINGTON,  
*President of the United States.*

An Act extending the privilege of franking to James White, the Delegate from the Territory of the United States South of the river Ohio, and making provision for his compensation.

*Be it enacted, &c.,* That James White, the Delegate to Congress from the Territory of the United States South of the river Ohio, be entitled to the privilege of sending and receiving letters free of postage, on the same terms and under the same restrictions as are provided for the members of the Senate and of the House of Representatives of the United States by the act, entitled "An act to establish the Post Office and Post Roads within the United States."

Sec. 2. *And be it further enacted,* That the said James White shall receive for his traveling expenses and attendance in Congress the same compensation as is or may be allowed by law to the members of the House of Representatives of the United States, to be certified and paid in like manner.

Approved, December 3, 1794.

An Act to amend and explain the twenty-second section of "the Act establishing the Judicial Courts of the United States."

Whereas, by the twenty second section of the act, entitled "An Act to establish the Judicial Courts of the United States," it is provided that "Every Justice or Judge signing a citation on any writ of error, shall take good and sufficient security that the plaintiff in error shall prosecute his writ to effect, and answer all damages and costs, if he fail to make his plea good." And whereas doubts have arisen as to the extent of the security to be required in certain cases:

*Be it enacted, &c.,* That the security to be required and taken on the signing of a citation on any writ of error, which shall not be a supersedeas and stay execution, shall be only to such an amount, as, in the opinion of the Justice or Judge taking the same, shall be sufficient to answer all such costs, as, upon an affirmance of the judgment or decree, may be adjudged or decreed to the respondent in error.

Approved, December 12, 1794.

An act authorizing a Loan of two millions of dollars.

*Be it enacted, &c.,* That the President of the United States be empowered to borrow, on behalf of the United States, any sum not exceeding two million of dollars, at an interest not exceeding five per cent. per annum, reimbursable at the pleasure of the United States, to be applied to such public purposes as are authorized by law, and to be repaid out of the duties on impost and tonnage, to the end of the year one thousand seven hundred and ninety-five.

Sec. 2. *And be it further enacted,* That it shall be lawful for the Bank of the United States, and the said Bank hereby is authorized and empowered to loan the said sum, or any part thereof.

Approved, December 18, 1794.

An Act making appropriations for the support of the Military Establishment for the year one thousand seven hundred and ninety five, and for the expenses of the Militia lately called into the service of the United States.

*Be it enacted &c.,* That there be appropriated for the pay, subsistence, forage, and other expenses attending the militia in their late expedition to the Western counties of Pennsylvania, a sum not exceeding one million one hundred and twenty-two thousand five hundred and sixty-nine dollars and one cent; that is to say—For the pay, subsistence, and forage of the general staff, eighteen thousand six hundred and eighty-one dollars and thirty-four cents: For the pay, subsistence, and forage of the militia of New Jersey, eighty-eight thousand seven hundred and eighteen dollars and twenty-five cents: For the pay, subsistence, and forage of the militia of Pennsylvania, two hundred

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and ten thousand eight hundred and seventy-five dollars and thirty cents: For the pay, subsistence, and forage of the militia of Maryland, fifty-eight thousand six hundred and sixty dollars and ninety-one cents: For the pay, subsistence, and forage of the militia of Virginia, one hundred and seventy-five thousand and seven dollars and five cents: For the pay and subsistence of artificers and drivers of ordnance, two thousand seven hundred and thirty-four dollars: For the pay and subsistence of the cavalry of Virginia, twenty-two thousand three hundred and ninety-seven dollars and sixteen cents: For clothing, eighty-three thousand one hundred and forty dollars: For camp equipage, twenty-eight thousand seven hundred and seventeen dollars: For hospital stores, two thousand seven hundred and seventy dollars: For military stores, thirty-four thousand one hundred dollars: For the quartermaster's and paymaster's departments, three hundred and sixty-three thousand six hundred dollars: For forage for the cavalry, thirty-three thousand one hundred and sixty-eight dollars.

Sec. 2. *And be it further enacted*, That a sum not exceeding five hundred thousand dollars be appropriated towards defraying the expense of the Military Establishment, for the year one thousand seven hundred and ninety-five.

Sec. 3. *And be it further enacted*, That the several sums of money aforesaid shall be paid and discharged out of the funds following, to wit: First. The balance which may remain unexpended of the sum of six hundred thousand dollars, reserved by the act making provision for the Debt of the United States, after satisfying the appropriations made in the present session for the support of Government. Secondly. The surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-five.

Approved, December 31, 1794.

An Act making appropriations for the support of Government for the year one thousand seven hundred and ninety-five.

*Be it enacted, &c.*, That, for defraying the expenditure of the Civil List of the United States for the year one thousand seven hundred and ninety-five, together with the incidental and contingent expenses of the several Departments and offices thereof, there be appropriated a sum of money not exceeding four hundred and thirty-two thousand seven hundred and forty-nine dollars and fifty-three cents; that is to say:

For the compensation granted by law to the President and Vice President of the United States, thirty thousand dollars.

For the like compensations to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of six months' continuance, one hundred and eighty-five thousand eight hundred and ninety dollars.

For the expenses of firewood, stationery, printing work, and all other contingent expenses of the two Houses of Congress, nine thousand five hundred dollars.

For the compensation granted by law to the Chief Justice, Associate Judges, District Judges, and Attorney General, forty-three thousand two hundred dollars.

For defraying the expense of clerks of courts, jurors, and witnesses, in aid of the fund arising from fines, forfeitures, and penalties, twelve thousand dollars.

For defraying the expenses of prosecution for offences against the United States, and for the safe-keeping of prisoners, four thousand dollars.

For compensation to the Secretary of State, clerks, and persons employed in that Department, seven thousand seven hundred and fifty dollars.

For incidental and contingent expenses in the said Department, three thousand nine hundred and seventy-one dollars, and seventy-nine cents.

For compensation to the Secretary of the Treasury, clerks, and persons employed in his office, seven thousand eight hundred and fifty dollars.

For expenses of stationery, printing, and all other contingent expenses in the office of the Secretary of the Treasury, five hundred dollars.

For compensation to the Comptroller of the Treasury, clerks, and persons employed in his office, ten thousand two hundred dollars.

For expense of stationery, printing, and all other contingent expenses in the Comptroller's office, eight hundred dollars.

For compensation to the Treasurer, clerks, and persons employed in his office, four thousand one hundred dollars.

For expense of firewood, stationery, printing, rent, and other contingencies in the Treasurer's office, six hundred dollars.

For compensation to the Auditor of the Treasury, clerks, and persons employed in his office, eleven thousand four hundred and fifty dollars.

For expense of stationery, printing, and other contingent expenses in the Auditor's office, five hundred dollars.

For compensation to the Commissioner of the Revenue, clerks, and persons employed in his office, six thousand one hundred and fifty dollars.

For expense of stationery, printing, and other contingent expenses in the office of the Commissioner, four hundred dollars.

For compensation to the Register of the Treasury, clerks, and persons employed in his office, fifteen thousand five hundred dollars.

For expense of stationery, printing, and all other contingent expenses in the Register's office, (including books for the public stocks,) two thousand four hundred dollars.

For the payment of rent for the several houses employed in the Treasury Department, (except the Treasurer's office,) one thousand nine hundred and forty-six dollars and sixty-eight cents.

For expense of firewood and candles in the several offices of the Treasury Department, (except the Treasurer's office,) one thousand five hundred dollars.

For defraying the expense incident to the stating and printing the public accounts for the year one thousand seven hundred and ninety-five, eight hundred dollars.

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For compensations to the several Loan Officers, thirteen thousand two hundred and fifty dollars.

For compensation to the Secretary of War, clerks, and persons employed in his office, eight thousand five hundred and fifty dollars.

For expense of firewood, stationery, printing, rent, and other contingent expenses in the office of the Secretary of War, one thousand one hundred and thirty-three dollars and thirty-three cents.

For compensation to the Accountant of the War Department, clerks, and persons employed in his office, six thousand four hundred and fifty dollars.

For contingent expenses in the office of the Accountant of the War Department, six hundred dollars.

For compensation to the following officers of the Mint: The Director, two thousand dollars; the Treasurer, one thousand two hundred dollars; the Assayer, one thousand five hundred dollars; the Chief Coiner, one thousand five hundred dollars; the Engraver, one thousand two hundred dollars; four clerks, at five hundred dollars each, two thousand dollars.

For defraying the expenses of laborers in the different branches of the refinery, melting, and coining, at the Mint, five thousand two hundred dollars.

For the pay of mechanics employed in making and repairing machinery for the Mint, two thousand six hundred dollars.

For the purchase of a new coining press, iron-mongery, lead, wood, coals, stationery, office furniture, and for other contingencies of the establishment of the Mint, five thousand five hundred dollars.

For the purchase of a house and lot for the Mint, and of lumber, bricks, and other materials for buildings to be erected, and other necessary improvements to be made, including mason's and carpenter's work, cartage and laborers, one thousand nine hundred dollars.

For compensation to the Governors, Secretaries, and Judges of the Territory Northwest and the Territory South of the river Ohio, ten thousand three hundred dollars.

For expenses of stationery, office rent, printing patents for lands, and other contingent expenses in both the said Territories, seven hundred dollars.

For the payment of sundry pensions granted by the late Government, two thousand and seven dollars and seventy-three cents.

For the annual allowance to the widow and orphan children of Colonel John Harding, and to the orphan children of Major Alexander Trueman, by the act of Congress of the twenty-seventh February, one thousand seven hundred and ninety-three, seven hundred and fifty dollars.

For the annual allowance for the education of Hugh Mercer, son of the late Major General Mercer, by the act of Congress of the second of March, one thousand seven hundred and ninety-three, four hundred dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been as-

certain and admitted in due course of settlement at the Treasury, and which are of a nature, according to the usage thereof, to require payment in specie, three thousand dollars.

Sec. 2. *And be it further enacted*, That for the maintenance and support of light-houses, beacons, buoys, public piers, and stakeage of channels, bars, and shoals, there shall be appropriated a sum of money not exceeding twenty thousand dollars; and for making good a deficiency of appropriation for building a light-house at Baldhead, there shall be appropriated a sum not exceeding four thousand dollars.

Sec. 3. *And be it further enacted*, That for discharging certain miscellaneous claims upon the United States, there shall be appropriated a sum of money not exceeding eight thousand and four dollars and thirteen cents, that is to say: For making good to the Bank of the United States loss and insurance on shipments of money for, and on account of the United States, and for loss on silver and gold received from the collectors at Wilmington and Edenton, one thousand four hundred and twelve dollars and ninety-three cents; for paying Joseph Stretch, sole administrator of Joseph Wright, deceased, for modelling a likeness and cutting two dies, in conformity to a resolution of Congress of the twenty-fourth of September, one thousand seven hundred and seventy-nine, two hundred and thirty-three dollars and thirty-three cents; for the payment of a balance due to Arthur St. Clair, pursuant to an act of Congress of the thirty-first of May, one thousand seven hundred and ninety-four, one thousand and fifty-seven dollars and eighty-seven cents; for an allowance to the widow and orphan children of Robert Forsyth, late marshal of the district of Georgia, pursuant to an act of June the seventh, one thousand seven hundred and ninety-four, two thousand dollars; for defraying the expense of publishing lists of invalid pensioners, in compliance with the resolution of Congress of the ninth of June, one thousand seven hundred and ninety-four, eight hundred dollars; for defraying the expense of sundry expresses to and from the collectors of the revenue, in relation to the embargo, five hundred dollars; for the discharge of such miscellaneous demands against the United States, other than those on account of the civil department, not otherwise provided for, and which shall have been ascertained and admitted in due course of settlement at the Treasury, and which are of a nature, according to the usage thereof, to require payment in specie, two thousand dollars.

Sec. 4. *And be it further enacted*, That the several appropriations hereinbefore made shall be paid and discharged out of the fund of six hundred thousand dollars referred by the act making provision for the Debt of the United States.

Approved, January 2, 1795.

An Act to regulate the pay of the non-commissioned officers, musicians, and privates of the Militia of the United States, when called into actual service, and for other purposes.

*Be it enacted, &c.*, That, from and after the pass-

ing of this act, the allowance of bounty, clothing, and pay, to the non-commissioned officers, musicians, and privates of the infantry, artillery, and cavalry of the militia of the United States, when called into actual service, shall be at the rate per month as follows: Each sergeant-major and quartermaster-sergeant, nine dollars; each drum and fife major, eight dollars and thirty-three cents; each sergeant, eight dollars; each corporal, drummer, fife, and trumpeter, seven dollars and thirty-three cents; each farrier, saddler, and artificer, (included as a private,) eight dollars; each gunner, bombardier, and private, six dollars and sixty-six cents.

SEC. 2. *And be it further enacted*, That, in addition to the monthly pay, there shall be allowed to each officer, non-commissioned officer, musician, and private of the cavalry, for the use of his horse, arms, and accoutrements, and for the risk thereof, except of horses killed in action, forty cents per day; and to each non-commissioned officer, musician, and private, twenty-five cents per day, in lieu of rations and forage, when they shall provide the same.

SEC. 3. *And be it further enacted*, That, whenever the militia shall be called into the actual service of the United States, their pay shall be deemed to commence from the day of their appearing at the places of battalion, regimental, or brigade rendezvous—allowing to each non-commissioned officer, musician, and private soldier, a day's pay and rations for every fifteen miles from his home to such place of rendezvous, and the same allowance for traveling home from the place of discharge.

SEC. 4. *And be it further enacted*, That, in addition to the pay heretofore authorized by law, there shall be allowed and paid to the non-commissioned officers, musicians, and privates of the militia lately called forth into the actual service of the United States, on an expedition to Fort Pitt, such sums as shall, with the pay heretofore by law established, be equal to the allowance respectively provided in the first and second sections of this act: *Provided, nevertheless*, That the compensations made by any State to the militia called forth from such State, shall be deemed to be included in the additional allowance authorized by this act; and such State shall be entitled to receive from the Treasury of the United States, such sums as they shall have paid or allowed to the non-commissioned officers, musicians, and privates, over and above the pay heretofore allowed by law, and not exceeding the additional allowance granted by this act.

SEC. 5. *And be it further enacted*, That, for the completing and better supporting the Military Establishment of the United States, as provided by the act, entitled "An act making further and more effectual provision for the protection of the frontiers of the United States," there shall be allowed and paid, from and after the first day of January, one thousand seven hundred and ninety-five, to each non-commissioned officer, musician, and private now in service, or hereafter to be enlisted, the additional pay of one dollar per month, during the terms of their respective enlistments; and to

each soldier now in the service of the United States, or discharged therefrom subsequent to the third day of March last, who shall re-enlist after the first day of January next, an additional bounty of eight dollars—making the entire bounty sixteen dollars; and to each person not now in the Army of the United States, or discharged, as above, who shall enlist after the said first day of January next, an additional bounty of six dollars—making the entire bounty fourteen dollars: but the payment of four dollars of each additional bounty hereby granted, shall be deferred until the soldier enlisting shall join the regiment or corps in which he is to serve.

SEC. 6. *And be it further enacted*, That, to those in the military service of the United States, who are or shall be employed on the Western frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt in addition to every hundred of their rations.

Approved, January 2, 1795.

An Act authorizing the transfer of the stock standing to the credit of certain States.

*Be it enacted &c*, That at any time within two years from the passing of this act, transfers shall and may be authorized, of so much of the stock standing to the credit of any State, pursuant to the report of the Commissioners for settling accounts between the United States and individual States; and the act passed thereon, entitled "An act making provision for the payment of the interest on the balances due to certain States, upon a final settlement of the accounts between the United States and the individual States," to creditors of such State who were such prior to the first day of July, one thousand seven hundred and ninety-three, as may be necessary to satisfy their respective demands: *Provided*, That no such transfer shall be made but with the consent of the said State and its creditors.

Approved, January 2, 1795.

An Act providing for the payment of certain instalments of Foreign Debts, and of the third instalment due on a Loan made of the Bank of the United States.

*Be it enacted, &c.*, That, the President of the United States be, and he hereby is, authorized and empowered to cause any instalments of the Foreign Debts which may fall due in the year one thousand seven hundred and ninety-five, and also the third instalment due on a Loan made of the Bank of the United States, in pursuance of the eleventh section of the act for incorporating the subscribers to the said Bank, to be paid out of the proceeds of any Foreign Loans heretofore made.

Approved, January 8, 1795.

An Act for reviving certain suits and process which have been discontinued in the District Court of Pennsylvania.

*Be it enacted, &c.*, That all suits and process which were pending in the District Court of Pennsylvania, which, by law, ought to have been holden on the third Monday in November last, and which

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were discontinued by the failure to hold the same; and all suits and process which were commenced for the said Court, or returnable thereto; and, also, all suits and process which were pending in any special Court of the said district, and discontinued by failure to hold the adjournment thereof, on the day appointed, at any time since the last day of July last, be, and they are hereby, revived; and hereby day is given to all the suits and process aforesaid, in the District Court next by law to be holden in the same district; and the same proceedings may be had at the same last mentioned Court, in all the suits and process aforesaid, as by law might have been had at the Courts, respectively, in which the same were pending, or to which the same were returnable.

Approved, January 28, 1795.

An Act further extending the time for receiving on Loan the Domestic Debt of the United States.

*Be it enacted, &c.* That the term for receiving on loan that part of the Domestic Debt of the United States which has not been subscribed in pursuance of the provisions heretofore made by law for that purpose, be and the same is hereby further extended until the thirty-first day of December next, on the same terms and conditions as are contained in the act, entitled "An act making provision for the Debt of the United States." *Provided,* That the books for receiving the said subscriptions shall be opened only at the Treasury of the United States.

SEC. 2. *And be it further enacted,* That such of the creditors of the United States as have not subscribed and shall not subscribe to the said loan, shall nevertheless receive during the year one thousand seven hundred and ninety-five, a rate per centum on the amount of such of their demands as have been registered or as shall be registered at the Treasury conformable to the directions in the act, entitled "An act making provision for the Debt of the United States," equal to the interest which would be payable to them as subscribing creditors.

Approved, January 28, 1795.

An Act supplementary to the several acts imposing duties on goods, wares, and merchandise imported into the United States.

Whereas difficulties have arisen in ascertaining the duties on certain articles imported into the United States, and further provisions for securing the collection of the impost duties are found necessary:

*Be it enacted, &c.* That, in lieu of the present duties, there shall be levied, collected and paid upon all printing types, which after the last day of March next, shall be imported into the United States, in ships or vessels of the United States, at the rate of ten per centum, and upon all girandoles, at the rate of twenty per centum ad valorem; that, after the said last day of March next, the present duties payable upon clayed sugars shall cease, and there shall be paid upon all white clayed or white powdered sugars, three cents per pound, and upon all other clayed or powdered sugars, one and a half

cent per pound; upon Malaga wine, twenty cents; upon Burgundy and Champagne, forty cents per gallon.

SEC. 2. *And be it further enacted,* That, after the said last day of March, teas, commonly called imperial, gunpowder, or gonce, shall pay the same duties as hyson teas; and where any entire article is, by any law of the United States, made subject to the payment of duties, the parts thereof, when imported separately, shall be subject to the payment of the same rate of duties.

SEC. 3. *And be it further enacted,* That, after the said last day of March, the valuation of all goods, wares, and merchandise, subject to the payment of duties ad valorem, shall be made upon the actual cost at the place of exportation, including all charges, (commissions, outside packages and insurance only excepted,) that the duty on any wines imported into the United States shall not be less than ten cents per gallon, and that bottles in which any liquor is imported, shall be subject to the payment of the like duty as empty bottles.

SEC. 4. *And be it further enacted,* That the duties upon all goods, wares, and mereandise, imported into the United States, after the said last day of March, (where the sum payable by one person or copartnership shall amount to more than fifty dollars,) shall be payable upon all articles, the produce of the West Indies, (salt excepted,) the one-half in three, and the other half in six calendar months; and on all goods, wares, and merchandise, imported from Europe, (wines, salt and teas excepted,) one-third in eight months, and one-third in ten months, and the remaining third in twelve months from the time of each respective importation.

SEC. 5. *And be it further enacted,* That, in respect to the aforesaid duties, and the duties heretofore imposed on goods, wares, and merchandise, imported into the United States, there shall be an addition of ten per centum to the several rates of duties when imported in ships or vessels not of the United States, except in cases where such additional duty has been before specially laid on any goods, wares, or merchandise, imported in such ships or vessels.

SEC. 6. *And be it further enacted,* That the duties aforesaid shall be collected in like manner, and under the same regulations, restrictions, and provisions, and subject to the like appropriations as goods, wares, and merchandise, imported into the United States, are now subject to.

Approved, January 29, 1795.

An Act making further provision in cases of drawbacks.

Whereas the allowance of drawbacks on goods, wares, and merchandise, imported into the United States, is now limited to such as are exported from districts into which the same are imported, and great loss and inconvenience are experienced from such limitation and further provision, in respect to goods, wares, or merchandise, entitled to drawback, is deemed necessary:

*Be it enacted, &c.* That after the last day of

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March next, any goods, wares, and merchandise, imported into the United States, may be exported from any of the ports at which ships and vessels from the Cape of Good Hope, or from any place beyond the same, are admitted to make entry, and entitled to the same drawback of the duties as goods, wares, and merchandise, exported from the districts into which they are imported, are now entitled to: *Provided, nevertheless*, That such goods, wares, and merchandise, shall not be entitled to such drawback, unless they shall be accompanied by a certificate from the collector of the district into which they were imported, specifying the marks, numbers, and descriptions, of the casks or packages, with the names of the master and vessel in which, the time when, and the place from whence, they were imported; and where the articles pay duties by weight or measure, the quantity in each; and in all cases the amount of the duties paid or secured thereon.

SEC. 2. *And be it further enacted*, That in order to entitle any person to such certificate, he or they shall make out an entry of all such goods, wares, and merchandise, specifying the marks, numbers, and descriptions, of the casks, or packages, and their contents, the names of the master and vessel in which, the time when, and the place from which they were imported; the names of the master and vessel in which they are intended to be laden, and the district in the United States to which they are destined; and shall moreover make oath or affirmation to the truth of such entry; which requisites being complied with, and the collector satisfied with the truth thereof, he shall grant such certificate, and such goods, wares, and merchandise, shall be entered with the collector of the district into which they shall be brought from the place of their importation, previous to the landing or unloading thereof.

SEC. 3. *And be it further enacted*, That, after the last day of March next, it shall be lawful for the importer, or exporter, of any liquors in casks, coffee in casks, or other packages, or any unrefined sugars, to fill up the casks or packages out of other casks or packages included in the original importation, into new casks or packages, in case the original cask or package shall be so injured as to be rendered unfit for exportation, and under the inspection of the inspector of the port from which such liquors, coffee, or unrefined sugars, are intended to be exported.

SEC. 4. *And be it further enacted*, That when any goods, wares, or merchandise, entitled to drawback, shall be entered for exportation from any other district than the one into which they were imported, the person intending to export the same, besides producing the certificate hereinbefore directed, shall make an entry in like manner, and the goods, wares, and merchandise, therein expressed, shall undergo the same examination as is by law required relative to goods, wares, and merchandise, entitled to drawback, and intended to be exported from the place of original importation.

SEC. 5. *And be it further enacted*, That for all goods, wares, and merchandise, entitled to draw-

back, which, after the last day of March next, shall be exported from the district into which they were originally imported, the exporter or exporters shall be entitled to receive from the collector of such district a debenture or debentures for the amount of the drawback to which such goods, wares, or merchandise, are entitled, payable at the same time or times respectively on which the duties on the said goods, wares, or merchandise, shall become due, except the same or any part thereof has been paid, or shall become payable in less than three months; in which case such debenture shall be payable in three months: And it shall be the duty of the said collectors to discharge such debentures, at the time they become due, out of any public money in their hands. And where goods, wares, and merchandise, are exported from any other district than the one into which they were imported, it shall be the duty of the collector of such district to grant to the exporter a certificate expressing that such goods, wares, and merchandise, were exported from his district, with the marks, numbers, and description, of the packages and their contents, the name of the vessel on which they were laden, the name of the commander, and the port for which they were cleared out, and the amount of the drawback to which they are entitled. And such certificate shall entitle the possessor thereof to receive from the collector of the said district, with whom the duties on the said goods, wares, and merchandise, were paid, or secured, a debenture or debentures for the drawback expressed in the said certificates, payable at the same time, and in like manner, as is herein directed for debentures on goods, wares, and merchandise, exported from the place of their first importation: *Provided, nevertheless*, That the collector aforesaid may refuse to grant such debenture or debentures, in case it shall appear to him that any error has arisen, or any fraud has been committed; and in case of such refusal, if the debenture or debentures claimed shall exceed one hundred dollars, it shall be his duty to represent the case to the Comptroller of the Treasury, who shall determine whether such debenture or debentures shall be granted or not: *And provided always*, That in no case of an exportation by the original importer shall a drawback be paid until the duties on the importation thereof shall have been first received.

SEC. 6. *And be it further enacted*, That before the receipt of any such debenture, in case of exportation from the district of original importation, and in case of exportation from any other district, before the receipt of any such certificate, the person applying for the same shall give bond with one or more sureties, to the satisfaction of the collector who is to grant the debenture, or the certificate, as the case may be, in a sum equal to double the amount of the sum for which such debenture or certificate is granted, conditioned to produce to such collector, like proof and certificates of the delivery of such goods, wares, or merchandise, at some place without the United States, as are now required by law for obtaining the drawback on exportation, within one year, in case such



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goods have been shipped to any part of Europe or America, and within two years, if to any part of Asia or Africa: *Provided, nevertheless*, That when it shall be made to appear to the satisfaction of the collector, to whom such certificates are directed to be returned, that such certificates could not be obtained, the exporter or exporters shall be permitted to offer such other testimony, as to the landing or loss of the goods, wares, and merchandise, as he may have; which proof shall be referred to the Comptroller of the Treasury, who shall have power and authority to admit the same if he shall deem it satisfactory, and to direct the collector to cancel the bond accordingly.

SEC. 7. *And be it further enacted*, That so much of the act, entitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," as extends the credits on bonds given for duties on account of the drawback on goods exported, shall, after the said last day of March next, be repealed: *Provided*, That nothing herein contained shall be construed to extend to any allowance made upon goods, wares, and merchandise, imported before the said last day of March next.

Approved, January 29, 1795.

An Act in addition to the act, entitled "An act to regulate the pay of the non-commissioned officers, musicians, and privates, of the Militia of the United States, when called into actual service, and for other purposes."

*Be it enacted, &c.*, That the augmentation of bounty authorized by the fifth section of the act, entitled "An act to regulate the pay of the non-commissioned officers, musicians, and privates, of the Militia of the United States, when called into actual service, and for other purposes," shall be allowed and paid to such recruits as shall have enlisted after the passing of the said act, or as shall hereafter enlist, in like manner as is by the said act provided in cases of enlistment after the first day of January next.

Approved, January 29, 1795.

An act to establish an uniform rule of Naturalization, and to repeal the act heretofore passed.

For carrying into complete effect the power given by the Constitution to establish an uniform rule of naturalization throughout the United States:

*Be it enacted, &c.*, That any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions, and not otherwise:

First, He shall have declared, on oath or affirmation, before the Supreme, Superior, District, or Circuit Court of some one of the States, or of the Territories Northwest or South of the river Ohio, or a Circuit or District Court of the United States, three years, at least, before his admission, that it was, *bona fide*, his intention to become a citizen of the United States, and to renounce forever all

allegiance and fidelity to any foreign prince, potentate, State, or sovereignty whatever, and particularly by name, the prince, potentate, State, or sovereignty whereof such alien may, at the time, be a citizen or subject.

Secondly, He shall, at the time of his application to be admitted, declare, on oath or affirmation, before some one of the Courts aforesaid, that he has resided within the United States five years at least, and within the State or Territory where such Court is at the time held, one year at least, that he will support the Constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, State, or sovereignty whatever, and particularly, by name, the prince, potentate, State, or sovereignty, whereof he was before a citizen or subject; which proceedings shall be recorded by the clerk of the Court.

Thirdly, The Court admitting such alien shall be satisfied that he has resided within the limits and under the jurisdiction of the United States, five years; and it shall further appear to their satisfaction that, during that time, he has behaved as a man of a good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Fourthly, In case the alien applying to be admitted to citizenship shall have borne any hereditary title, or been of any of the orders of nobility, in the Kingdom or State from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility, in the Court to which his application shall be made; which renunciation shall be recorded in the said Court.

SEC. 2. *Provided always, and be it further enacted*, That any alien, now residing within the limits and under the jurisdiction of the United States, may be admitted to become a citizen, on his declaring, on oath or affirmation, in some one of the Courts aforesaid, that he has resided two years, at least, within and under the jurisdiction of the same, and one year, at least, within the State or Territory where such Court is at the time held; that he will support the Constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, State, or sovereignty, whatever, and particularly, by name, the prince, potentate, State, or sovereignty, whereof he was before a citizen or subject; and moreover, on its appearing to the satisfaction of the Court, that, during the said term of two years, he has behaved as a man of good moral character, attached to the Constitution of the United States, and well disposed to the good order and happiness of the same; and, when the alien applying for admission to citizenship shall have borne any hereditary title, or been of any of the orders of nobility in the Kingdom or State from which he came, on his, moreover, making in the Court an express renunciation of his title or order of nobility, before he shall be entitled to such admission; all of which proceedings, required in this proviso to be per-

formed in the Court, shall be recorded by the clerk thereof.

SEC. 3. *And be it further enacted*, That the children of persons duly naturalized, dwelling within the United States, and being under the age of twenty-one years, at the time of such naturalization, and the children of citizens of the United States, born out of the limits and jurisdiction of the United States, shall be considered as citizens of the United States: *Provided*, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: *Provided, also*, That no person heretofore proscribed by any State, or who has been legally convicted of having joined the army of Great Britain, during the late war, shall be admitted a citizen as aforesaid, without the consent of the Legislature of the State in which such person was proscribed.

SEC. 4. *And be it further enacted*, That the act entitled "An act to establish an uniform rule of naturalization," passed the twenty-sixth day of March, one thousand seven hundred and ninety, be, and the same is hereby repealed.

Approved, January 29, 1795.

An Act to amend the Act, entitled "An Act making alterations in the Treasury and War Departments"

*Be it enacted, &c.*, That in case of vacancy in the office of Secretary of State, Secretary of the Treasury, or of the Secretary of the Department of War, or of any officer of either of the said Departments, whose appointment is not in the Head thereof, whereby they cannot perform the duties of their said respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: *Provided*, That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months.

Approved, February 13, 1795.

An Act relative to the compensation of certain officers employed in the collection of the duties of impost and tonnage.

*Be it enacted, &c.*, That, in lieu of the commissions heretofore by law established, there shall be allowed to the collectors of the duties of impost and tonnage, on all moneys by them respectively received on account of the duties aforesaid arising on tonnage, and on goods, wares, and merchandise, imported after the last day of March next, as follows, to wit:

To the collectors of the districts of Pennsylvania and New York, three-tenths of one per cent;

To the collector of the district of Boston and Charlestown, and to the collector of the district of Baltimore, five-eighths of one per cent;

To the collectors of the districts of Salem and Norfolk, seven-eighths of one per cent;

To the collectors of the districts of Alexandria, Charleston, and Savannah, one per cent;

To the collector of the district of Newburyport, one and a quarter per cent;

To the collectors of the districts of Portsmouth, Portland, Newport, Providence, New Haven, and Tappahannock, one and a half per cent;

And to the collectors of the districts of Vermont, Champlain, Gloucester, Marblehead, Plymouth, Barnstable, Nantucket, Edgartown, New Bedford, Dighton, York, Biddeford, Bath, Wiscasset, Penobscot, Frenchman's Bay, Machias, Passamaquoddy, New London, Fairfield, Sagg Harbor, Perth-Amboy, Burlington, Bridgetown, Great Egg Harbor, Wilmington in Delaware, Chester, Oxford, Vienna, Snowhill, Annapolis, Nottingham, Cedar Point, Georgetown in Maryland, Bermuda Hundred, Hampton, Yorktown, Yeocomico, Dumfries, Foley Landing, Cherry-stone, South Quay, Kentucky, Wilmington in North Carolina, Newbern, Washington, Edenton, Camden, Georgetown in South Carolina, Beaufort, Sunbury, Brunswick, St. Mary's, and Hardwich, two per cent.

SEC. 2. *And be it further enacted*, That, from and after the last day of March next, in lieu of the annual allowances heretofore established by law, there shall be yearly allowed to the following officers, the sums following, to wit:

To the collectors of the districts of Annapolis, Chester, South Quay, Yeocomico, Wilmington in North Carolina, Cedar Point, and Washington, the sum of two hundred dollars each;

To the collectors of the districts of York, Passamaquoddy, Oxford, Vienna, Nottingham, Hampton, Yorktown, Dumfries, Foley Landing, Cherry-stone, Beaufort, St. Mary's, Brunswick, and Hardwich, the sum of one hundred and fifty dollars each;

To the collector of the district of Perth-Amboy, one hundred and twenty dollars;

To the collectors of the districts of Portsmouth, Vermont, Champlain, Gloucester, Plymouth, Barnstable, Nantucket, Edgartown, New Bedford, Biddeford, Penobscot, Frenchman's Bay, Machias, Newport, Fairfield, Burlington, Bridgetown, Great Egg Harbor, Wilmington in Delaware, Snowhill, Kentucky, Bermuda Hundred, Camden, Georgetown in South Carolina, and Sunbury, the sum of one hundred dollars each;

To the collectors of the districts of Marblehead, Bath, Wiscasset, New Haven, and Georgetown in Maryland, the sum of fifty dollars each;

To the naval officer of the district of Portsmouth, the sum of one hundred and fifty dollars;

To the naval officers of the districts of Newburyport, Salem, Newport, Providence, Wilmington in North Carolina, and Savannah, the sum of one hundred dollars each;

To the surveyor of the port of Salem, two hundred dollars;

To the surveyors of Portsmouth, Newburyport, Bristol, Wrenn, East Greenwich, St. Mary's, Suffolk, Smithfield, Richmond, Petersburg, Fredericksburg, Wilmington, Beaufort, and Swansborough, the sum of one hundred and fifty dollars each;

To the surveyors of Newport and Providence, one hundred and thirty dollars each;

To the surveyors of Gloucester, Beverly, New

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Haven, Middletown, Albany, Hudson, Little Egg Harbor, and Lewellensburg, one hundred and twenty dollars each;

And to the surveyors of Ipswich, Portland, North Kingston, Pawhatuck, Patuxet, New London, Stonington, Town Creek, Bermuda Hundred, West Point, Urbanna, Port Royal, Alexandria, Windsor, Hertford, Plymouth, Skewarky, Murfreesborough, Bennet's Creek, Winton, Nixonton, Newbiggen Creek, Pasquotank River, Indian Town, Currituck Inlet, Savannah, and New Brunswick, in New Jersey, the sum of one hundred dollars each.

SEC. 3. *And be it further enacted*, That, from and after the last day of March next, in lieu of the sum heretofore established by law, there shall be paid to each inspector, for every day he shall be actually employed in aid of the customs, a sum not exceeding one dollar and sixty-six cents; and that, instead of the sum heretofore established by law, to be paid for the weighing of every one hundred and twelve pounds, in the districts of Pennsylvania, New York, Boston, Baltimore, and Norfolk, there shall be paid one cent and a half.

SEC. 4. *And be it further enacted*, That, from and after the last day of March next, it shall be the duty of the several collectors, naval officers, and surveyors, to keep accurate accounts of their official emoluments and expenditures, and the same to transmit, annually, on the last day of December, to the Comptroller of the Treasury, who shall annually lay an abstract of the same before Congress.

Approved, February 14, 1795.

An Act for the reimbursement of a Loan authorized by an Act of the last session of Congress.

*Be it enacted, &c.*, That the Bank of the United States be, and the same is hereby, authorized to lend to the United States, the whole or any part of the sum of eight hundred thousand dollars, (remaining unapplied,) in pursuance of the authority granted to borrow one million of dollars, by the act, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations; and further to continue in force the act, entitled 'An act providing the means of intercourse between the United States and foreign nations.'"

SEC. 2. *And be it further enacted*, That, after reserving such sums as may be sufficient to satisfy prior appropriations, there be further appropriated, in aid of the provision heretofore made, out of the proceeds of the duties which have arisen, or may arise, upon carriages for the conveyance of persons, upon licenses for selling wines and foreign distilled spirituous liquors by retail, upon snuff and refined sugar, and upon property sold at auction; which were imposed by acts passed during the last session, and which may be further continued the present session of Congress; or from the proceeds of such duties or revenues as may be established in lieu thereof, a sum sufficient to the reimbursement, before the year one thousand eight hundred and one, of any Loan or Loans, which have been,

or which may hereafter be made, in virtue of the act aforesaid: and that the faith of the United States be, and the same is hereby, pledged to make good any deficiency of the said duties.

Approved, February 21, 1795.

An Act authorizing the erection of a light-house near the entrance of Georgetown Harbor, in the State of South Carolina.

*Be it enacted, &c.*, That the Secretary of the Treasury be, and he is hereby, required to cause to be erected, as soon as may be, a light-house, near the entrance of the harbor of Georgetown, in the State of South Carolina, at such place, when ceded to the United States, as shall be most convenient for the navigation thereof; and that a sum, not exceeding five thousand dollars, be appropriated for the same, out of any moneys not otherwise appropriated: And that a sum, not exceeding one thousand dollars, be appropriated, for placing buoys on certain shoals in Cape Fear river, below the town of Wilmington, in the State of North Carolina.

Approved, February 21, 1795.

An Act supplementary to the Act concerning Invalids.

*Be it enacted, &c.*, That the right any person now has, or may hereafter acquire, to receive a pension, by virtue of the act passed on the 28th day of February, one thousand seven hundred and ninety-three, entitled "An act to regulate the claims to invalid pensions," be considered to commence at the time of completing his testimony before the District Judge or Commissioners, pursuant to the said act: And nothing shall be allowed to any invalid, of the description aforesaid, by way of arrear of pension, antecedent to the date of his completing his testimony as aforesaid: And the pensions allowed under the said act shall be continued to the respective pensioners, during the continuance of their disability.

SEC. 2. *And be it further enacted*, That no commissioned officer, who has received commutation of half-pay, shall be paid a pension as an invalid, until he shall return his commutation into the Treasury of the United States; except where special provision has been made, in particular cases, for allowing pensions on the return only of certain portions of the commutation.

Approved, February 21, 1795.

An Act to establish the office of Purveyor of Public Supplies.

*Be it enacted, &c.*, That there shall be in the Department of the Treasury, an officer to be denominated, "Purveyor of Public Supplies," whose duty shall be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of all arms, military and naval stores, provisions, clothing, Indian goods, and generally all articles of supply, requisite for the service of the United States, and whose compensation shall be, a salary of two thousand dollars per annum. And all letters to and from the

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said officer shall be received and conveyed by post free of postage.

SEC. 2. *And be it further enacted*, That the said officer shall not directly or indirectly be concerned, or interested, in carrying on the business of trade or commerce, or be owner in whole or in part, of any sea vessel, or purchase by himself, or another, in trust for him, public lands, or any other public property, or be concerned in the purchase or disposal of any public securities of any State, or of the United States, or take, or apply to his own use, any emolument or gain for negotiating or transacting any business in the said Department other than what shall be allowed by law; and if he shall offend against any of the prohibitions of this act, he shall, upon conviction, forfeit to the United States the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be forever thereafter incapable of holding any office under the United States.

SEC. 3. *And be it further enacted*, That the said officer shall, before he enters on the duties of his office, give bond with sufficient sureties, to be approved by the Secretary of the Treasury, and Comptroller, in the sum of twenty thousand dollars, payable to the United States, with condition for the faithful performance of the duties of his said office; which bond shall be lodged in the office of the Comptroller.

Approved, February 23, 1795.

An Act to continue in force the act "for ascertaining the Fees in Admiralty proceedings in the District Courts of the United States, and for other purposes."

*Be it enacted, &c.*, That the act, entitled "An act to ascertain the Fees in Admiralty proceedings in the District Courts of the United States and for other purposes," be, and is hereby continued in force, for the term of one year from the passing of this act, and from thence to the end of the next session of Congress, and no longer.

Approved, February 25, 1795.

An Act to amend the act, entitled, "An act to establish the Post Office and Post Roads within the United States.

*Be it enacted, &c.*, That the following be, and are hereby established, as Post Roads, namely: From Pittstown in the District of Maine, to Wiscasset; and from Hallowell in the said district, to Norridgeworth: From Dover in New Hampshire, through Berwick, to Waterborough Courthouse, and from thence to Kennebunk: From Portsmouth, through Dover, Rochester, and Moultonborough, to Plymouth; and from Plymouth to Portsmouth, by New Hampton, Meredith, Gilmantown, Nottingham and Durham; the post to go and return on the said route alternately: from Fishkill, by Newburg and New Windsor, to Goshen: from Coopers Town, by Butternut Creek and Oxford Academy to Union Town: From Pipers on the post-road from Philadelphia to Bethlehem, by Alexandria, to Pittston

in New Jersey: From Brownsville in Pennsylvania, to the town of Washington: From Reading, by Sunbury, and the town of Northumberland, to Lewisburg, commonly called Derstown, on the Susquehanna: From Bethlehem to Wilksburg, in the county of Luzerne: From York Town, through Abbotstown and Gettysburg, to Hagerstown in Maryland; and from Hagerstown, through Williamsport, to Martinsburg, in Virginia: From Annapolis, by Lower Marlborough, to Calvert Courthouse, and from thence to Saint Leonard's Creek: From Bladensburg in Maryland, through Upper Marlborough, to Nottingham, and from thence to the town of Benedict: From Belle-Air in Harford county, Maryland, to the Black Horse, on the York and Baltimore road: From Gloucester Courthouse, in Virginia, to York Town: From Powhattan Courthouse, to Cartersville: From Charlottesville, by Warren, Warminsten, Newmarket, Amherst Courthouse, Cabellsburg, and Madison to Lynchburg: From Winchester, through Romney, to Moorfields: From Charlotte in North Carolina, by Lancaster Courthouse, to Camden, in South Carolina; and from Charlotte to Lincolnton: From Beardstown, in Kentucky, to Nashville, in the territory South of the river Ohio.

SEC. 2. *And be it further enacted*, That, instead of the road from Fayetteville, by Lumberton to Cheraw Courthouse, the route of the post shall hereafter be on the most direct road from Fayetteville to Cheraw Courthouse: and that the Postmaster General shall have authority to discontinue the post-road from Lumberton to Cheraw Courthouse, and from Hagerstown to Sharpsburg, in Maryland. That if, in the opinion of the Postmaster General, an alteration in the post-road from Cumberland, in Maryland, to Morgantown, in Virginia, and from thence, by Union Town, in Pennsylvania, to Brownsville, on the Monongahela, could be made more conducive to the public interest than the present route, yet so as to afford the same accommodation to the said places, he shall be authorized, with the consent of the present contractor, for carrying the mail, to make such alteration.

Approved, February 25, 1795.

An Act supplementary to the act, entitled "An act to provide more effectually for the collection of the duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels."

*Be it enacted, &c.*, That if the master or commander of any ship or vessel, coming into, or arriving at any port or place within the United States, shall obstruct or hinder, or shall cause any obstruction or hindrance with such an intent, to any officer of the revenue, in going on board such ship or vessel, for the purpose of carrying into effect any of the revenue laws of the United States, he shall forfeit a sum not exceeding five hundred, nor less than fifty dollars.

SEC. 2. *And be it further enacted*, That, in all actions, suits, or informations to be brought, where any seizure shall be made for any breach

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of the revenue laws of the United States, the burden of proof shall lie on the claimant only, where probable cause is shown for such prosecution, to be judged of by the Court, before whom the prosecution is had.

SEC. 3. *And be it further enacted*, That, in all cases in which suits or prosecutions shall be commenced for the recovery of pecuniary penalties prescribed by the laws of the United States, the person or persons, against whom process may be issued, shall be held to special bail, subject to the rules and regulations which prevail in civil suits, in which special bail is required.

SEC. 4. *And be it further enacted*, That, from and after the last day of May next, there shall be established the following new districts and ports of delivery, to wit: In the State of New York, a district to be called the District of Hudson, which shall include the city of Hudson, and all the waters and shores northward of the said city on Hudson river, and the town of Catskill below the said city; and the said city of Hudson shall be the sole port of entry for the said district: to which shall be annexed the towns or landing places of Catskill, Kinderhook, and Albany, as ports of delivery only; and the collector for the said district shall reside at Hudson; and a surveyor, to reside at Hudson, and another, at Albany, as is now by law established: In the State of Connecticut, a district, to be called the district of Middletown; which shall include the several towns and landing places of Lyme, Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chatham, Weathersfield, Glastenbury, Hartford, East Hartford, Windsor, and East Windsor; of which Middletown shall be the sole port of entry, and the other towns and landing places before named shall be ports of delivery only: and the collector shall reside at Middletown, and there shall be two other surveyors appointed within the said district, one to reside at Hartford, and the other at Saybrook: In the State of Massachusetts, a district to be called the District of Waldoborough; and a collector for the district shall reside at Waldoborough, which shall be the sole port of entry; and to which district shall be annexed the towns of Bristol, Nobleborough, Warren, Thomaston, Cushing, and Camden; also, a place called Ducktrap, as ports of delivery only; and there shall be a surveyor to reside at Thomaston; and all the shores and waters, from the middle of Damarascotty river to Ducktrap, shall be comprehended within the said district: of Waldoborough. And in the district of Portland and Falmouth, Freeport and Harpswell; and also, in the District of Bath, the towns of Georgetown and Brunswick shall be ports of delivery only: And the collectors, to be appointed in conformity with this act, shall each become bound in the sum of four thousand dollars, and each surveyor, in the sum of one thousand dollars, in manner, as is by law provided in like cases. And the same duties, authorities and fees of office, with a similar distribution thereof, shall appertain to those appointments, as are now, in like cases, authorized by law. And the collectors

aforesaid shall each receive the same per centage on the amount of all moneys by them respectively received for duties, together with the same yearly allowance, as is allowed by law to the Collector of the District of Fairfield; and each of the surveyors in the district aforesaid shall receive the same yearly allowance as is, or may be allowed by law to the Surveyor of the District of New Haven.

SEC. 5. *And be it further enacted*, That the master or commander of any ship or vessel, bound from a foreign port or place, to the District of Hudson, or to the District of Bermuda Hundred and City Point, shall, if bound to the former, first come to, with his ship or vessel, at the city of New York; and if to the latter, after the last day of September next, at Hampton Road or Sewell's Point, and there make report to the Collector of New York, or of Norfolk and Portsmouth, or to the Collector of the port of Hampton, as the case may be, and take on board an inspector of the customs, before he shall proceed to the District of Hudson, or to the District of Bermuda Hundred and City Point: And if bound to any port on Connecticut river, shall take an inspector on board at Saybrook, before proceeding to such port. And if any master or commander shall neglect or refuse to comply with the duty hereby enjoined, or which is enjoined in the third section of the act, entitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels," he shall forfeit a sum not more than five hundred, and not less than fifty dollars: *Provided however*, That from and after the last day of May next, the restrictions contained in the said third section shall not extend to, and be considered as affecting the several ports or places included within the District of Middletown; also, the ports of North Yarmouth, Freeport, and Harpswell, in the District of Portland and Falmouth, or the ports of George Town and Brunswick, in the District of Bath.

SEC. 6. *And be it further enacted*, That the District of Hampton for James River shall only extend up to the east side of Chickahomony river, and from thence upwards to Richmond on the north side, shall be annexed to the District of Bermuda Hundred and City Point; which district shall extend down James River on the south side to Hood's.

SEC. 7. *And be it further enacted*, That whenever a seizure, condemnation, and sale of goods, wares, and merchandise, shall hereafter take place, in the United States, and the value thereof shall be less than one hundred dollars, that part of the forfeiture which accrues to the United States, or so much thereof as shall be necessary, shall be applied to the payment of the costs of prosecution.

SEC. 8. *And be it further enacted*, That from and after the last day of May next, whenever an entry shall be made with the collector of any district of any merchandise imported into the United States, subject to duties, by any agent, factor or

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person, other than the bona fide owner or consignee of such merchandise, it shall be the duty of the collector to increase the penalty of the bond to be given for the duties, the sum of one thousand dollars, and to make it a part of the condition of the said bond, that the bona fide owner or consignee of such merchandise shall, on or before the first day of payment stipulated in said bond, deliver to said collector a full and correct account of the said merchandise imported for him, or on his account, or consigned to his care, in manner and form, as is now required by law in respect to an entry, previous to the landing of any merchandise; which account shall be verified, as in the case of an entry, and by a like oath or affirmation, to be taken and subscribed before any judge of the United States, or the judge of any court of record of a State, or before a collector of the customs of some other district. And in case of the payment of the duties, at the time of entry, by any factor or agent, on the goods entered by him, the collector shall take his bond with security, in the penalty of one thousand dollars, with condition, that the account, verified by the oath or affirmation of the bona fide owner or consignee, in manner as before directed, shall be delivered to the said collector within ninety days.

SEC. 9. *And be it further enacted*, That all bonds which may be given for any goods, wares, or merchandise exported from the United States after the last day of May next, and on which any drawback of duties, or allowance, shall be payable in virtue of such exportation, shall and may be discharged, and not otherwise, by producing, within one year from the date thereof, if the exportation be made to any part of Europe or America, or within two years, if made to any part of Asia or Africa, a certificate under the hand of the consignee at the foreign port or place, to whom the said goods, wares, or merchandise, shall have been addressed, therein particularly setting forth and describing the articles so exported, with their quantities or amount, and declaring that the same have been delivered from on board the vessel, in which they were exported, at the said place; as also, a certificate under the hand and seal of the consul or agent of the United States residing at the said place, declaring, either that the facts stated in such consignee's certificate are, to his knowledge, true, or that the certificate of such consignee is, in his opinion, deserving of full credit; which certificate of the consignee and consul, or agent, shall, in all cases, as respects the landing or delivery of the said goods, wares, or merchandise, be confirmed by the oath of the master and mate, if living, or in case of their death, by the oath or affirmation of the two principal surviving officers of the vessel, in which the exportation shall be made. And in cases where there shall be no consul or agent of the United States residing at the said place of delivery, the certificate of the consignee before required shall be confirmed by the certificate of two reputable American merchants residing at the said place; or if there be no such American merchants, then by the certificate of two reputable foreign mer-

chants, testifying that the facts stated in such consignee's certificate, are, to their knowledge, true, or that such consignee's certificate is, in their opinion, worthy of full credit; which certificate shall be supported by the oath or affirmation of the master and mate, or other principal officers of the vessel, in the manner before prescribed. And in cases of loss at sea, or by capture, or other unavoidable accident, or when, from the nature of the trade, the proofs and certificates before mentioned are not, and cannot be produced, the exporter or exporters shall be allowed to adduce, to the collector of the port of exportation, such other proofs as they may have, and as the nature of the case will admit; which proofs shall, with a stating of all the circumstances attending the transaction, within the knowledge of such collector, be transmitted to the Comptroller of the Treasury, who shall, if he be satisfied with the truth and validity thereof, have power to direct the bonds of such exporter or exporters to be cancelled.

Approved, February 26, 1795.

An Act for allowing an additional compensation to the Judges of the Districts of Rhode Island and Delaware.

*Be it enacted, &c.*, That there shall be allowed to the Judges of the Districts of Rhode Island and Delaware, each, two hundred dollars yearly, in addition to the compensation heretofore allowed, to commence on the first day of the present year, and to be paid at the Treasury of the United States, in quarterly payments.

Approved, February 27, 1795.

An Act to provide for calling forth the Militia to execute the Laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes.

*Be it enacted, &c.*, That whenever the United States shall be invaded, or be in imminent danger of invasion, from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose to such officer or officers of the militia as he shall think proper. And, in case of an insurrection in any State against the Government thereof, it shall be lawful for the President of the United States, on application of the Legislature of such State, or of the Executive, (when the Legislature cannot be convened,) to call forth such number of the militia of any other State or States as may be applied for, as he may judge sufficient to suppress such insurrection.

SEC. 2. *And be it further enacted*, That whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the Marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such

State, or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of militia so to be called forth, may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress.

SEC. 3. *Provided always, and be it further enacted*, That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes within a limited time.

SEC. 4. *And be it further enacted*, That the militia employed in the service of the United States shall be subject to the same rules and articles of war as the troops of the United States; and that no officer, non-commissioned officer, or private of the militia, shall be compelled to serve more than three months after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the battalion to which he belongs.

SEC. 5. *And be it further enacted*, That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States, in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court-martial; and such officers shall moreover be liable to be cashiered, by sentence of a court-martial, and be incapacitated from holding a commission in the militia for a term not exceeding twelve months, at the discretion of the said court; and such non-commissioned officers and privates shall be liable to be imprisoned, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month for every five dollars of such fine.

SEC. 6. *And be it further enacted*, That courts-martial for the trial of militia shall be composed of militia officers only.

SEC. 7. *And be it further enacted*, That all fines to be assessed, as aforesaid, shall be certified by the presiding officer of the court-martial, before whom the same shall be assessed, to the Marshal of the District in which the delinquent shall reside, or to one of his deputies, and also to the Supervisor of the Revenue of the same District, who shall record the said certificate in a book, to be kept for that purpose. The said Marshal or his deputy shall forthwith proceed to levy the said fines, with costs, by distress and sale of the goods and chattels of the delinquent; which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the State in which the same shall be in other cases of distress. And where any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found, whereof to levy the said fines, the Marshal of the District or his deputy may commit such delinquent to jail during the

term for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner as other persons condemned to fine and imprisonment at the suit of the United States may be committed.

SEC. 8. *And be it further enacted*, That the Marshals and their deputies shall pay all such fines by them levied to the Supervisor of the Revenue in the District in which they are collected within two months after they shall have received the same, deducting therefrom five per centum as a compensation for their trouble; and, in case of failure, the same shall be recoverable by action of debt or information in any Court of the United States of the district in which such fines shall be levied, having cognizance thereof, to be sued for, prosecuted, and recovered, in the name of the Supervisor of the District, with interest and costs.

SEC. 9. *And be it further enacted*, That the Marshals of the several Districts and their deputies shall have the same powers, in executing the laws of the United States, as Sheriffs and their deputies in the several States have, by law, in executing the laws of the respective States.

SEC. 10. *And be it further enacted*, That the act, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," passed the second day of May, one thousand seven hundred and ninety-two, shall be and the same is hereby repealed.

Approved, February 28, 1795.

An Act to continue in force, for a limited time, the acts therein mentioned.

*Be it enacted, &c.*, That the act, entitled "An act declaring the consent of Congress to an act of the State of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a Health Officer;" and also the act, entitled "An act supplementary to the act for the establishment and support of light-houses, beacons, buoys, and public piers," so far as the same provides for defraying the necessary expense of supporting light-houses, beacons, buoys, and public piers, and the stakeage of channels on the sea-coast; and also so much of the act, entitled "An act to provide for mitigating or remitting the penalties and forfeitures accruing under the revenue laws in certain cases, and to make further provision for the payment of pensions to invalids," as relates to the mitigating or remitting the penalties and forfeitures accruing under the revenue laws in certain cases, be, and the same hereby are continued in force until the end of the next session of Congress, and no longer.

Approved, March 2, 1795.

An Act relative to cessions of jurisdiction in places where light-houses, beacons, buoys, and public piers have been or may hereafter be erected and fixed.

*Be it enacted, &c.*, That where cessions have been, or hereafter may be made, by any State of the jurisdiction of places where light-houses, beacons, buoys, or public piers, have been erected and



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fixed, or may, by law, be provided to be erected or fixed, with reservation, that process, civil and criminal, issuing under the authority of such State, may be executed and served therein, such cessions shall be deemed sufficient, under the laws of the United States providing for the supporting or erecting of light-houses, beacons, buoys, and public piers.

SEC. 2. *And be it further enacted*, That where any State hath made or shall make a cession of jurisdiction, for the purposes aforesaid, without reservation, all process, civil and criminal, issuing under the authority of such State or the United States, may be served and executed within the places, the jurisdiction of which has been so ceded, in the same manner as if no such cession had been made.

Approved, March 2, 1795.

An Act relative to the passing of coasting vessels between Long Island and Rhode Island.

*Be it enacted, &c.*, That coasting vessels going from Long Island, in the State of New York, to the State of Rhode Island, or from the State of Rhode Island to the said Long Island, shall have the same privileges as are allowed to vessels under the like circumstances going from a district in one State to a district in the same or an adjoining State.

Approved, March 2, 1795.

An Act to alter and amend an act, entitled "An act laying certain duties upon snuff and refined sugar."

*Be it enacted, &c.*, That the duty of eight cents per pound on snuff, laid by the act of last session, entitled "An act laying certain duties upon snuff and refined sugar," shall cease on the last day of March, in the present year, and shall not thenceforth be collected; but, in lieu thereof, there shall be levied and collected upon all mills, employed in the manufacture of snuff within the United States, the following yearly rates and duties, to wit: For and upon each and every mortar, contained in any mill worked by water, and for every pair of millstones, employed in the manufacture of snuff, five hundred and sixty dollars; upon every pestle in any mill, other than mills worked by hand, one hundred and forty dollars; upon every pestle, in any mill worked by hand, one hundred and twelve dollars; and upon every mill in which snuff is manufactured, by stampers and grinders, two thousand two hundred and forty dollars per annum.

SEC. 2. *And be it further enacted*, That the duties aforesaid shall be levied, collected, and accounted for, by the same officers as are provided by the act, entitled, "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits, imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same;" subject to the superintendence and control of the Department of the Treasury, according to the respective authorities and duties of the officers thereof.

SEC. 3. *And be it further enacted*, That every person, who shall be a manufacturer of snuff, on the first day of April, in the present year, shall, within thirty days thereafter, and in each succeeding year, at least thirty days before the first day of April, make a true and exact entry or entries, in writing, at the office of inspection, which shall be nearest to the house or building, where he shall carry on the business or trade of manufacturing snuff, therein specifying, truly and particularly, every house or building in which the said manufacture shall be carried on, with the number of mortars in every mill by him owned, occupied, or used, and worked by water, and every pair of millstones, used or employed in the manufacture of snuff, and every pestle, in every mill, as aforesaid, distinctly specifying such pestles as are worked by other means than by hand, and, also, every pestle worked by hand, as also every mill in which snuff is manufactured by stampers and grinders: And every person, who shall commence the business or trade of manufacturing snuff, after the said first day of April, shall, at least thirty days before commencing such manufacture, make like entry or entries yearly, in manner as is before directed, and in failure thereof, every such manufacturer shall forfeit and lose every mill, in respect to which such entry shall not be made, with the utensils thereto belonging, and shall also forfeit and pay the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 4. *And be it further enacted*, That every person, who shall be, on the first day of April, in the present year, or at any time thereafter, a manufacturer of snuff, within the United States, and who shall have made the entry or entries hereinbefore directed, shall be entitled on application therefor, in writing, by himself, or his agent, or attorney, to the officer of inspection with whom entry shall have been made, to receive a license for each and every mill by him owned, occupied, or used, in carrying on the said manufacture of snuff, for the term of one year, which license shall be granted without fee or charge, upon the condition of giving a bond or bonds, with one or more sufficient sureties, for the amount of the duty or duties, for one year, which, according to this act, ought to be paid for and upon the mill, in respect to which the said license is requested, with condition to pay the same in three equal parts: one-third part at the expiration of nine months, another third part at the expiration of twelve months, and the remaining third part at the expiration of fifteen months, from the date of such license: *Provided*, That in lieu of the said bond or bonds, it shall be at the option of the manufacturer to pay the said amount of the said duty immediately, with a deduction or abatement of six per cent.

SEC. 5. *And be it further enacted*, That the licenses, herein directed to be granted, shall be prepared by the supervisors of the revenue, respectively, pursuant to such forms as shall be prescribed by the Treasury Department; and, when issued, such licenses shall, in respect to all persons who shall be manufacturers of snuff, on the first day of April, in the present year, bear date on the

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said day; and in respect to all persons who shall thereafter commence the said manufacture, such license shall hear date on the first day of the quarter of the year in which the said licenses shall be issued, and the said quarters of the year shall be deemed and are hereby declared to commence on the first days of January, April, July, and October, in each year.

Sec. 6. *And be it further enacted*, That every manufacturer of snuff, to whom a license shall have been granted, so long as he, or she, shall intend to carry on the business of manufacturing snuff, shall yearly, and every year within the thirty days immediately preceding the expiration of each license, apply for a new license for the next succeeding year, in manner heretofore directed, and, in like manner, shall pay or secure the payment of the duties for such year.

Sec. 7. *And be it further enacted*, That if, after the first day of April next, any person shall carry on the business of manufacturing snuff, without a license for that purpose, according to this act, or shall carry on the same at or with any mill, other than that mentioned in such license, such manufacturer, so offending, shall forfeit and pay, upon every conviction of such offence, treble the yearly amount of the duty hereby charged upon the mill or mills, wherein or whereby the said business shall be so carried on. And all duties and penalties imposed by this act, shall attach to, and remain as a lien upon, each and every mill, in respect to which such duty or penalty shall have accrued, until the same be fully satisfied and paid.

Sec. 8. *And be it further enacted*, That upon all snuff, which, after the last day of March, in the year one thousand seven hundred and ninety-five, shall be manufactured in the United States, and shall be exported therefrom, under the limitations and provisions hereinafter prescribed, the exporter or exporters thereof shall be entitled to a drawback of six cents per pound: *Provided*, That the quantity exported, at any one time, by the same person, shall amount to three hundred pounds.

Sec. 9. *And be it further enacted*, That in order to entitle the exporter or exporters of any snuff, to a drawback thereon, every such person shall, previous to the removal thereof from the mill or warehouse, where the same may be, make out, in writing, an exact entry, in which shall be specified the outward packages, in which the same is intended to be exported, the name of the manufacturer, and the marks and numbers of each, the quantity of snuff in each package, and the number of bottles, canisters, bladders, or other packages, containing the same, the name of the vessel and commander, in which such snuff is intended to be exported; and shall make oath or affirmation to the truth of such entry, that the snuff therein specified was manufactured in the United States, after the last day of March, one thousand seven hundred and ninety-five, and the name or names of the person by whom, and the mill where, it was manufactured, and that the same is truly and bona fide intended to be exported out of the United States, and that no part thereof is intended to be

relanded therein. And upon such entry being so made and certified, it shall be the duty of the collector to whom such entry is tendered to cause the said packages to be examined, and to permit the same to be exported, under the inspection of an officer of the customs, in like manner as is provided for the exportation of other goods, wares, and merchandise entitled to drawback: *Provided*, That no drawback shall be allowed on any snuff, except the same shall be exported from any of the ports, at which ships or vessels from the Cape of Good Hope, or from any place beyond the same, are admitted to make entry.

Sec. 10. *And be it further enacted*, That every exporter of snuff entitled to drawback, shall enter into bonds, with one or more sureties, in an amount equal to double the amount of the drawback, conditioned that the same shall not be relanded within the United States; and the master or commander of the ship or vessel, in which such snuff is reported to be shipped, shall make oath or affirmation, that the packages specified in the outward entry, are actually laden on board his ship or vessel, and that the same, or any part thereof, shall not be relanded in the United States; and upon such oath or affirmation being made, and the other provisions of the act being complied with, the collector, with whom such entry is made, shall grant a debenture or debentures, for the amount of the drawback to which such snuff is entitled, payable in twelve months from the time of granting the same; and such debenture or debentures shall be discharged by the collector granting the same, at the expiration of the term, out of any public money in his hands.

Sec. 11. *Provided always, and be it further enacted*, That before the payment of any debenture, the person demanding such payment shall produce to the collector the oath or affirmation of the master and mate of the vessel, (in which the snuff, for which such debenture was granted,) declaring that the same was actually landed in some foreign port or place, and was not, or any part thereof, to the best of their knowledge and belief, relanded or brought back to the United States; and the person demanding such payment shall likewise make oath or affirmation, in like manner, that the snuff for which such debenture was granted, was not, according to his best knowledge and belief, relanded in, or brought back to, the United States: *Provided, also*, That in cases of loss at sea, or other unavoidable accident, whereby the oath or affirmation of the captain or mate of the ship or vessel cannot be obtained, it shall be lawful for the Comptroller of the Treasury, to admit such other proof as to him shall appear satisfactory, under the special circumstances of the case.

Sec. 12. *And be it further enacted*, That if any snuff entered for exportation, with intention to obtain a drawback thereon, shall be relanded or attempted to be relanded within the United States, it shall be subject to seizure and forfeiture, together with the ship or vessel from which it shall be unladen, and the vessel or boat in which it shall be put; and the master or commander of the ship

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or vessel from which the same is unladen, shall, moreover, forfeit and pay five hundred dollars: *Provided*, That every prosecution for any such offence shall be commenced within twelve months from the time when the same was committed, and that the ship, vessel, or boat, from which any such snuff shall be unladen or landed, shall continue subject to such seizure and forfeiture for twelve months from the time the offence was committed, and no longer.

SEC. 13. *And be it further enacted*, That it shall be the duty of the collectors granting debentures for snuff exported, to keep a separate account thereof, and to specify the mill or mills in which each parcel exported, was manufactured. And the Secretary of the Treasury shall cause an account to be laid before the Legislature, annually, of the produce of the revenue, arising from snuff, and of the amount of the drawbacks for which debentures have been granted in each year.

SEC. 14. *And be it further enacted*, That all penalties and forfeitures which shall be incurred pursuant to this act, shall be divided and distributed, one half thereof to the use of the United States, and the other half thereof to the use of the person, who, if an officer of inspection, shall first discover, or if not an officer of inspection, shall first give information of the cause, matter, or thing, whereby any of the said penalties and forfeitures shall have been incurred.

SEC. 15. *And be it further enacted*, That it shall be lawful for the President of the United States, who is hereby empowered to make such compensation to the officers of inspection, employed in the collection of the duties aforesaid, and on refined sugar, and on the duties upon carriages for the conveyance of persons, and for incidental expenses, as he shall judge reasonable, not exceeding in the whole five per centum of the total amount of the said duties collected.

SEC. 16. *And be it further enacted*, That, from and after the last day of March, in the present year, the several clauses and provisions of the act, entitled "An act, laying certain duties upon snuff and refined sugar," so far as the same shall relate to the laying and collecting of duties on snuff manufactured in the United States, shall be, and the same are hereby, repealed; except as to the recovery and receipt of such duties on snuff as shall then have accrued, and the payment of drawbacks on snuff exported, and as to the recovery of any penalties and forfeitures, which shall have been incurred before and on the said day, but the revenue to arise from the duty on snuff manufactured within the United States shall remain charged with the same appropriations as if this act had not passed; and that this act shall continue in force until the first day of March, one thousand eight hundred and one.

Approved, March 3, 1795.

An Act for continuing and regulating the Military Establishment of the United States, and for repealing sundry acts heretofore passed on that subject.

*Be it enacted, &c.*, That the present Military Establishment of the United States, composed of a

corps of artillerists and engineers, to consist of nine hundred and ninety-two non-commissioned officers, privates, and musicians; and of a legion, to consist of four thousand eight hundred non-commissioned officers, privates, and musicians, be, and the same is hereby continued.

SEC. 2. *And be it further enacted*, That the said corps of artillerists and engineers be completed, conformably to the act of the eighth of May last, establishing the same, and prescribing the number and term of enlistments, and the method of organization.

SEC. 3. *And be it further enacted*, That the legion of the United States be also completed, to the number of four thousand eight hundred non-commissioned officers, privates, and musicians, by voluntary enlistments for the term of three years; and that the sub-legions composing the same, be organized in such manner as the President of the United States shall direct: *Provided, nevertheless*, That no such enlistment shall be made after three years from the passing of this act.

SEC. 4. *And be it further enacted*, That it shall be stipulated as a condition in the enlistments for cavalry, that they shall serve as dismounted dragoons, when ordered so to do; and that, in all cases of enlistments of the troops of every description, there be expressly reserved to the Government a right to discharge the whole or any part thereof, at such times, and in such proportions, as may be deemed expedient.

SEC. 5. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive, for every able bodied recruit duly enlisted and mustered, of at least five feet six inches in height, and not under the age of eighteen, nor above the age of forty-six years, the sum of two dollars.

SEC. 6. *And be it further enacted*, That there shall be allowed and paid to each soldier now in the service of the United States, or discharged therefrom subsequent to the third day of March last, who shall re-enlist, a bounty of sixteen dollars; and to each person not now in the Army of the United States, or discharged as above, who shall hereafter enlist, a bounty of fourteen dollars; but the payment of four dollars of the bounty of each and every man so enlisting, shall be deferred until he shall have joined the corps in which he is to serve.

SEC. 7. *And be it further enacted*, That every non-commissioned officer, private, and musician, of the artillery and infantry, shall receive, annually, the following articles of uniform clothing, to wit: one hat, or helmet, one coat, one vest, two pair of woollen and two pair of linen overalls, four pair of shoes, four shirts, two pair of socks, one blanket, one stock and clasp, and one pair of buckles; and that there be furnished to the cavalry and riflemen, such clothing as shall be the most suitable and best adapted to the nature of the service, having regard therein, as nearly as may be to the value of the clothing allowed as above, to the infantry and artillery.

SEC. 8. *And be it further enacted*, That every non-commissioned officer, private, and musician,

shall receive, daily, the following rations of provision, to wit: one pound of beef, or three-quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whiskey, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles, to every hundred rations, or the value thereof, at the contract price, where the same shall become due: and if, at such post, supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts, and the position of the place in question.

SEC. 9. *Provided always, and be it further enacted*, That to those in the military service of the United States who are, or shall be employed on the Western Frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt, in addition to every hundred of their rations.

SEC. 10. *And be it further enacted*, That the monthly pay of the officers, non-commissioned officers, musicians, and privates on the Military Establishment of the United States, be as follows, to wit:—General Staff—a Major General, one hundred and sixty-six dollars; a Brigadier General, one hundred and four dollars; a Quartermaster General, one hundred dollars; Adjutant General, to do also the duty of Inspector, seventy-five dollars; Chaplain, fifty dollars; Surgeon, seventy dollars; Deputy Quartermaster, fifty dollars; Aid-de-Camp, in addition to his pay in the line, twenty-four dollars; Brigade Major, to act also as Deputy Inspector, in addition to his pay in the line, twenty-four dollars: Principal Artificer, forty dollars; Second Artificer, twenty-six dollars.—Regimental.—Lieutenant Colonel commandant, seventy-five dollars; Major of artillery and Major of dragoons, fifty-five dollars; Major of infantry, fifty dollars; Paymaster Adjutant, and Quartermaster, in addition to their pay in the line, ten dollars; Captains, forty dollars; Lieutenants, twenty-six dollars; Ensigns and Cornets, twenty dollars; Surgeons, forty-five dollars; Surgeon's-mates, thirty dollars; Sergeant-majors and Quartermaster-sergeants, eight dollars; senior musicians, seven dollars; sergeants, seven dollars; corporals, six dollars; musicians, five dollars; privates, four dollars; artificers allowed to the infantry, light dragoons, and artillery, nine dollars; matrons and nurses in the hospital, eight dollars.

SEC. 11. *And be it further enacted*, That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence, the following number of rations of provisions, to wit: a Major General fifteen rations; a Brigadier General, twelve rations; a Lieutenant Colonel commandant, and Quartermaster-General, each six rations; a Major four rations; Brigade Major and Aid-de-Camp, four rations; a Captain three rations; a Lieutenant, ensign, or cornet, two rations; a Surgeon, as well hospital as regimental, three rations; a Surgeon's Mate, two rations; a Deputy Quartermaster, two rations; a principal and second artificer, each, two

rations; a Chaplain, two rations, or money in lieu thereof, at the option of the said officers, at the contract price, at the posts, respectively, where the rations shall become due.

SEC. 12. *And be it further enacted*, That the officers hereinafter described shall, whenever forage shall not be furnished by the public, receive at the rate of the following enumerated sums, per month, instead thereof, to wit: the Major General, twenty dollars; the Brigadier General, sixteen dollars; Lieutenant Colonel, twelve dollars; Quartermaster General, Adjutant General, and Surgeon General, each, twelve dollars; Major, ten dollars; Aid-de-Camp, Brigade Major, and Surgeon, each, ten dollars; Captain of cavalry, eight dollars; Chaplain and Surgeon's Mate, each, six dollars; Deputy Quartermaster and subalterns of cavalry, each, six dollars; Principal Artificer, Paymaster, Adjutant, and regimental Quartermaster, each, six dollars.

SEC. 13. *And be it further enacted*, That, if any officer, non-commissioned officer, private or musician aforesaid, shall be wounded or disabled, while in the line of his duty, in public service, he shall be placed on the list of the invalids of the United States, at such rate of pay, and under such regulations, as shall be directed by the President of the United States for the time being: *Provided, always*, That the rate of compensation to be allowed for such wounds or disabilities to a commissioned officer shall never exceed, for the highest disability, half the monthly pay of such officer, at the time of his being so disabled or wounded; and that the rate of compensation to non-commissioned officers, privates, and musicians, shall never exceed five dollars per month: *And provided, also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

SEC. 14. *And be it further enacted*, That the officers, non-commissioned officers, privates, and musicians, aforesaid, shall be governed by the rules and articles of war which have been established by the United States in Congress assembled, as far as the same may be applicable to the Constitution of the United States, or by such rules and articles as may hereafter by law be established.

SEC. 15. *And be it further enacted*, That every officer, non-commissioned officer, private, and musician aforesaid, shall take and subscribe the following oath or affirmation, to wit: "I, A B, do solemnly swear (or affirm, as the case may be,) to bear true allegiance to the United States of America, and to serve them honestly and faithfully, against all their enemies or opposers, whomsoever, and to observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

SEC. 16. *And be it further enacted*, That it shall be lawful for the President of the United States to arm the troops aforesaid, whether riflemen, artillerymen, dragoons, or infantry, as he shall think proper; and that it be also lawful for him to forbear to raise, or to discharge, after they shall be raised, any part thereof, in case events shall, in his

judgment, render his so doing consistent with public safety, and general convenience and economy.

SEC. 17. *And be it further enacted*, That every person who shall procure or entice a soldier in the service of the United States, to desert, or who shall conceal such soldier, knowing him to have deserted, or who shall purchase from such soldier his arms, or his uniform clothing, or any part thereof: and every Captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of the Court, in any sum not exceeding three hundred dollars, or be imprisoned for any term not exceeding one year.

SEC. 18. *And be it further enacted*, That the several acts, entitled "An act for regulating the Military Establishment of the United States;" "An act for raising and adding another regiment to the Military Establishment of the United States, and for making further provision for the protection of the frontiers;" "An act for making further and more effectual provision for the protection of the frontiers of the United States," be, and the same are hereby repealed; and, also, so much of any act or acts of the present session, as comes within the purview of this act: *Provided, always*, That nothing in this section contained shall be so construed, as to vacate the commissions which have been issued, or any appointments or enlistments which have been made in pursuance of the acts herein repealed.

Approved, March 3, 1795.

An Act making further provision for the support of Public Credit, and for the redemption of the Public Debt.

*Be it enacted, &c.*, That it shall be lawful for the Commissioners of the Sinking Fund, and they are hereby empowered, with the approbation of the President of the United States, to borrow, or cause to be borrowed from time to time, such sums, in anticipation of the revenue appropriated, not exceeding, in one year, one million of dollars, to be reimbursed within a year from the time of each loan, as may be necessary for the payment of the interest which shall annually accrue on the public debt; and for the payment of the interest on any such temporary loan, which shall not exceed six per centum per annum, so much of the proceeds of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, as may be necessary, shall be, and are hereby, appropriated.

SEC. 2. *And be it further enacted*, That a loan be opened at the Treasury, to the full amount of the present foreign debt, to continue open until the last day of December, in the year one thousand seven hundred and ninety-six, and that the sums which may be subscribed to the said loan shall be payable and receivable, by way of exchange, in

equal sums of the principal of the said foreign debt; and that any sum so subscribed and paid shall bear an interest equal to the rate of interest which is now payable on the principal of such part of the foreign debt as shall be paid or exchanged therefor, together with an addition of one-half per centum per annum; the said interest to commence on the first day of January next succeeding the time of each subscription, and to be paid quarterly, at the same periods at which interest is now payable and paid upon the domestic funded debt: *Provided*, That the principal of the said loan may be reimbursed at any time, at the pleasure of the United States.

SEC. 8. *And be it further enacted*, That credits to the respective subscribers for the sums by them respectively subscribed to the said loan, shall be entered and given on the books of the Treasury in like manner as for the present domestic funded debt; and that certificates therefor, of a tenor conformable with the provisions of this act, signed by the Register of the Treasury, shall issue to the several subscribers, and that the said credits, or stock standing in the names of the said subscribers, respectively, shall be transferable, in like manner, and by the like ways and means, as are provided by the seventh section of the act aforesaid, entitled "An act making provision for the debt of the United States," touching the credits or stock therein mentioned; and that the interest to be paid upon the stock which shall be constituted by virtue of the said loan shall be paid at the offices or places where the credits for the same shall from time to time stand or be, subject to the like conditions and restrictions as are prescribed in and by the eighth section of the act last aforesaid.

SEC. 4. *And be it further enacted*, That the interest and principal of all loans authorized by this act shall be made payable at the Treasury of the United States only, so far as relates to the payment of the principal and interest of the domestic debt.

SEC. 5. *And be it further enacted*, That so much of the duties on goods, wares, and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, heretofore appropriated for the interest of the foreign debt, as may be liberated or set free, by subscriptions to the said loan, together with such further sums of the proceeds of the said duties as may be necessary, shall be, and they are hereby, pledged and appropriated, for the payment of the interest which shall be payable upon the sums subscribed to the said loan, and shall continue so pledged and appropriated until the principal of the said loan shall be fully reimbursed and redeemed: *Provided, always*, That nothing herein contained shall be construed to alter, change, or in any manner affect the provisions heretofore made concerning the said foreign debt, according to contract, either during the pendency of the said loan or after the closing thereof; but every thing shall proceed, touching the said debt, and every part thereof, in the same manner as if this act had never been passed, except as to such holders there-

of as may subscribe to the said loan, and from the time of the commencement thereof in each case, that is, when interest on any sum subscribed shall begin to accrue.

SEC. 6. *And be it further enacted*, That the several and respective duties laid and contained in and by the act, entitled "An act laying additional duties on goods, wares, and merchandise imported into the United States," passed the seventh day of June, one thousand seven hundred and ninety-four, shall, together with the other duties heretofore charged with the payment of interest on the public debt, continue to be levied, collected, and paid, until the whole of the capital or principal of the present debt of the United States, and future loans which may be made pursuant to law, for the exchange, reimbursement, or redemption thereof, or of any part thereof, shall be reimbursed or redeemed, and shall be, and hereby are, pledged and appropriated for the payment of interest upon the said debt and loans, until the same shall be so reimbursed or redeemed.

SEC. 7. *And be it further enacted*, That the reservation made by the fourth section of the aforesaid act, entitled "An act making provision for the reduction of the public debt," be annulled, and, in lieu thereof, that so much of the duties on goods, wares, and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, as may be necessary, be, and the same hereby are, substituted, pledged, and appropriated for satisfying the purpose of the said reservation.

SEC. 8. *And be it further enacted*, That the following appropriations, in addition to those heretofore made be made, to the fund constituted by the seventh section of the act, entitled "An act supplementary to the act making provision for the debt of the United States," passed the eighth day of May, one thousand seven hundred and ninety-two, to be hereafter denominated "The Sinking Fund," to wit: First. So much of the proceeds of the duties on goods, wares, and merchandise imported, on the tonnage of ships or vessels, and on spirits distilled within the United States, and stills, as, together with the moneys which now constitute the said fund, and shall accrue to it, by virtue of the provisions hereinbefore made, and by the interest upon each instalment, or part of principal which shall be reimbursed, will be sufficient, yearly and every year, commencing the first day of January next, to reimburse and pay so much as may rightfully be reimbursed and paid, of the principal of that part of the debt or stock which, on the said first day of January next, shall bear an interest of six per centum per annum, redeemable by payments on account both of principal and interest, not exceeding, in one year, eight per centum, excluding that which shall stand to the credit of the Commissioners of the Sinking Fund, and that which shall stand to the credit of certain States, in consequence of the balances reported in their favor by the Commissioners for settling accounts between the United States and individual States: Secondly. The dividends which shall be from time to time declared on

so much of the stock of the Bank of the United States as belongs to the United States, (deducting thereout such sums as will be requisite to pay interest on any part remaining unpaid of the loan of two million of dollars had of the Bank of the United States, pursuant to the eleventh section of the act by which the said Bank is incorporated :) Thirdly. So much of the duties on goods, wares, and merchandise imported, on the tonnage of ships or vessels, and on spirits distilled within the United States, and stills, as, with the said dividends, after such deduction, will be sufficient, yearly and every year, to pay the remaining instalments of the principal of the said loan as they shall become due, and as, together with any moneys which, by virtue of provisions in former acts, and hereinbefore made, shall, on the first day of January, in the year one thousand eight hundred and two, belong to the said Sinking Fund, not otherwise specially appropriated; and with the interest on each instalment, or part of principal, which shall from time to time be reimbursed or paid of that part of the debt or stock, which, on the first day of January, in the year one thousand eight hundred and one, shall begin to bear an interest of six per centum per annum, will be sufficient, yearly and every year, commencing on the first day of January, in the year one thousand eight hundred and two, to reimburse and pay so much as may rightfully be reimbursed and paid of the said principal of the said debt or stock which shall so begin to bear an interest of six per centum per annum, on the said first day of January, in the year one thousand eight hundred and one, excluding that which shall stand to the credit of the Commissioners of the Sinking Fund and that which shall stand to the credit of certain States, as aforesaid: Fourthly. The nett proceeds of the sales of lands belonging, or which shall hereafter belong to the United States, in the Western Territory thereof: Fifthly. All moneys which shall be received into the Treasury on account of debts due to the United States by reason of any matter prior to their present Constitution: And, lastly. All surplusses of the revenues of the United States which shall remain, at the end of any calendar year, beyond the amount of the appropriations charged upon the said revenues, and which, during the session of Congress next thereafter, shall not be otherwise specially appropriated or reserved by law.

SEC. 9. *And be it further enacted*, That as well the moneys which shall accrue to the said Sinking Fund, by virtue of the provisions of this act, as those which shall have accrued to the same by virtue of the provisions of any former act or acts, shall be under the direction and management of the Commissioners of the Sinking Fund, or the officers designated in and by the second section of the act, entitled "An act making provision for the reduction of the Public Debt," passed the twelfth day of August, one thousand seven hundred and ninety, and their successors in office; and shall be and continue appropriated to the said fund until the whole of the present debt of the United States, foreign and domestic, funded and unfunded, including future loans, which



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may be made for reimbursing or redeeming any instalments or parts of principal of the said debt, shall be reimbursed and redeemed; and shall be, and are hereby declared to be, vested in the said Commissioners, in trust, to be applied according to the provisions of the aforesaid act of the eighth day of May, in the year one thousand seven hundred and ninety-two, and of this act, to the reimbursement and redemption of the said debt, including the loans aforesaid, until the same shall be fully reimbursed and redeemed. And the faith of the United States is hereby pledged that the moneys or funds aforesaid shall inviolably remain and be appropriated and vested, as aforesaid, to be applied to the said reimbursement and redemption, in manner aforesaid, until the same shall be fully and completely effected.

SEC. 10. *And be it further enacted*, That all reimbursements of the capital or principal of the Public Debt, foreign and domestic, shall be made under the superintendence of the Commissioners of the Sinking Fund, who are hereby empowered and required, if necessary, with the approbation of the President of the United States, as any instalments or parts of the said capital or principal become due, to borrow, on the credit of the United States, the sums requisite for the payment of the said instalments or parts of principal: *Provided*, That any loan which may be made to the said Commissioners shall be liable to reimbursement at the pleasure of the United States; and that the rate of interest thereupon shall not exceed six per centum per annum; and, for greater caution, it is hereby declared that it shall be deemed a good execution of the said power to borrow, for the said Commissioners, with the approbation of the President, to cause to be constituted certificates of stock, signed by the Register of the Treasury, for the sums to be respectively borrowed, bearing an interest of six per centum per annum, and redeemable at the pleasure of the United States; and to cause the said certificates of stock to be sold in the market of the United States, or elsewhere: *Provided*, That no such stock be sold under par. And for the payment of interest on any sum or sums which may be so borrowed, either by direct loans or by the sale of certificates of stock, the interest on the sum or sums which shall be reimbursed by the proceeds thereof, (except that upon the funded stock, bearing and to bear an interest of six per centum, redeemable by payments, not exceeding in one year eight per centum on account both of principal and interest,) and so much of the duties on goods, wares, and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and upon stills, as may be necessary, shall be, and hereby are, pledged and appropriated.

SEC. 11. *And be it further enacted*, That it shall be the duty of the Commissioners of the Sinking Fund to cause to be applied and paid, out of the said fund, yearly and every year, at the Treasury of the United States, the several and respective sums following, to wit: First—Such sum and sums as, according to the right for that purpose

reserved, may rightfully be paid for, and towards the reimbursement or redemption of such Debt or stock of the United States, as, on the first day of January next, shall bear an interest of six per centum per annum, redeemable by payments, not exceeding in one year eight per centum, on account both of principal and interest, excluding that standing to the credit of the Commissioners of the Sinking Fund, and that standing to the credit of certain States, as aforesaid, commencing the said reimbursement or redemption on the said first day of January next. Secondly—Such sum and sums as, according to the conditions of the aforesaid Loan, had of the Bank of the United States, shall be henceforth payable towards the reimbursement thereof, as the same shall respectively accrue. Thirdly—Such sum and sums, as according to the right for that purpose reserved, may rightfully be paid for and towards the reimbursement or redemption of such Debt or stock of the United States as, on the first day of January, in the year one thousand eight hundred and one, shall begin to bear an interest of six per centum per annum, redeemable by payments, not exceeding in one year eight per centum, on account both of principal and interest, excluding that standing to the credit of the Commissioners of the Sinking Fund, and that standing to the credit of certain States, as aforesaid, commencing the said reimbursement or redemption, on the first day of January, in the year one thousand eight hundred and two; and also to cause to be applied all such surplus of the said fund as may at any time exist, after satisfying the purposes aforesaid, towards the further and final redemption of the present Debt of the United States, foreign and domestic, funded and unfunded, including loans for the reimbursement thereof, by payment or purchase, until the said Debt shall be completely reimbursed or redeemed.

SEC. 12. *Provided always, and be it further enacted*, That nothing in this act shall be construed to vest in the Commissioners of the Sinking Fund a right to pay, in the purchase or discharge of the unfunded Domestic Debt of the United States, a higher rate than the market price or value of the Funded Debt of the United States: *And, provided also*, That if, after all the debts and loans aforesaid, now due, and that shall arise under this act, excepting the said Debt or stock bearing an interest of three per cent., shall be fully paid and discharged, any part of the principal of the said Debt or stock bearing an interest of three per cent., as aforesaid, shall be unredeemed, the Government shall have liberty, if they think proper, to make other and different appropriations of the said funds.

SEC. 13. *And be it further enacted*, That all priorities heretofore established in the appropriations by law, for the interest on the Debt of the United States, as between the different parts of the said Debt, shall, after the year one thousand seven hundred and ninety-six, cease, with regard to all creditors of the United States who do not, before the expiration of the said period, signify, in writing, to the Comptroller of the Treasury, their dissent therefrom; and that thenceforth, with the



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exception only of the debts of such creditors who shall so signify their dissent, the funds or revenues charged with the said appropriations shall, together, constitute a common or consolidated fund, chargeable indiscriminately, and without priority, with the payment of the said interest.

SEC. 14. *And be it further enacted*, That all certificates, commonly called Loan Office certificates, final settlements, and indents of interest, which, at the time of passing this act, shall be outstanding, shall, on or before the first day of January, in the year one thousand seven hundred and ninety-seven, be presented at the office of the Auditor of the Treasury of the United States, for the purpose of being exchanged for other certificates of equivalent value and tenor, or, at the option of the holders thereof, respectively, to be registered at the said office, and returned; in which case it shall be the duty of the said Auditor to cause some durable mark or marks to be set on each certificate, which shall ascertain and fix its identity, and whether genuine, or counterfeit, or forged; and every of the said certificates which shall not be presented at the said office within the said time, shall be forever after barred or precluded from settlement of allowance.

SEC. 15. *And be it further enacted*, That if any transfer of stock standing to the credit of a State shall be made pursuant to the act, entitled "An act authorizing the transfer of the stock standing to the credit of certain States," passed the second day of January, in this present year, after the last day of December next, the same shall be upon condition, that it shall be lawful to reimburse, at a subsequent period of reimbursement, so much of the principal of the stock so transferred as will make the reimbursement thereof equal in proportion and degree to that of the same stock transferred previous to the said day.

SEC. 16. *And be it further enacted*, That, in regard to any sum which shall have remained unexpended upon any appropriation other than for the payment of interest on the Funded Debt; for the payment of interest upon, and reimbursement, according to contract, of any loan or loans made on account of the United States, for the purposes of the Sinking Fund, or for a purpose in respect to which a longer duration is specially assigned by law, for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, such appropriation shall be deemed to have ceased and been determined; and the sum so unexpended shall be carried to an account on the books of the Treasury, to be denominated "The Surplus Fund." But no appropriation shall be deemed to have so ceased and been determined until after the year one thousand seven hundred and ninety-five, unless it shall appear to the Secretary of the Treasury, that the object thereof hath been fully satisfied; in which case it shall be lawful for him to cause to be carried the unexpended residue thereof to the said account of "the Surplus Fund."

SEC. 17. *And be it further enacted*, That the Department of the Treasury, according to the respective duties of the several officers thereof, shall

establish such forms and rules of proceeding for and touching the execution of this act as shall be conformable with the provisions thereof.

SEC. 18. *And be it further enacted*, That all the restrictions and regulations heretofore established by law for regulating the execution of the duties enjoined upon the Commissioners of the Sinking Fund shall apply to and be in as full force for the execution of the analogous duties enjoined by this act as if they were herein particularly repeated and re-enacted: and a particular account of all sales of stock, or of loans by them made, shall be laid before Congress within fourteen days after their meeting next after the making of any such loan or sale of stock.

SEC. 19. *And be it further enacted*, That in every case in which power is given by this act to make a loan, it shall be lawful for such loan to be made of the Bank of the United States, although the same may exceed the sum of fifty thousand dollars.

SEC. 20. *And be it further enacted*, That so much of the act laying duties upon carriages for the conveyance of persons, and of the act laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail, and of the act laying certain duties upon snuff and refined sugar, and of the act laying duties on property sold at auction, as limits the duration of the said several acts, be, and the same is hereby repealed; and that all the said several acts be, and the same are hereby, continued in force until the first day of March, one thousand eight hundred and one.

Approved, March 3, 1795.

An Act making further appropriations for the Military and Naval Establishments, and for the support of Government.

*Be it enacted, &c.*, That, including the appropriation of five hundred thousand dollars, made for the Military Establishment for the year one thousand seven hundred and ninety-five, by an act of the present session, there be appropriated for the said Military Establishment a sum not exceeding one million four hundred and sixty-nine thousand four hundred and thirty-nine dollars and twenty-nine cents—that is to say: For the pay of the legion of the United States, three hundred and four thousand five hundred and forty-eight dollars. For the pay of the corps of artillery, fifty-six thousand eight hundred and sixty-eight dollars. For subsistence of the legion and artillery, three hundred and sixty-one thousand seven hundred and nineteen dollars and thirty cents. For forage and cavalry, thirty-three thousand seven hundred and twenty dollars. For clothing, one hundred and twenty thousand four hundred and forty dollars. For equipments for the cavalry, seven thousand three hundred and fourteen dollars. For horses for the cavalry, twenty-four thousand dollars. For bounty, five thousand dollars. For the hospital department, twenty thousand dollars. For the ordnance department, eleven thousand three hundred and sixty-five dollars and ninety-nine cents. For the Indian depart-

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ment, eighty thousand dollars. For the quartermaster's department, one hundred and fifty thousand dollars. For contingencies of the War Department, thirty thousand dollars. For the defensive protection of the frontiers, one hundred and thirty thousand dollars. For the completion of the fortifications, fifty thousand dollars. For additional pay and bounty to the legion and artillery, pursuant to an act of the present session, seventy-seven thousand four hundred and sixty-four dollars.

SEC. 2. *And be it further enacted*, That, for defraying the expense of six months' pay and subsistence of a detachment of militia under the command of Major General Morgan, pursuant to an act of the present session, there be appropriated the sum of one hundred thousand six hundred and eighty-two dollars—that is to say: For the general staff, four thousand one hundred and thirty-four dollars. For Major Brooke's battalion, nineteen thousand eight hundred and forty-eight dollars. For Major Linn's battalion, twenty-one thousand three hundred dollars. For cavalry, twenty-three thousand four hundred dollars. For subsistence, twenty-four thousand dollars. For forage for officers and cavalry, eight thousand dollars.

SEC. 3. *And be it further enacted*, That the surplus which may remain unexpended of the sum of six hundred and eighty-eight thousand eight hundred and eighty-eight dollars and eighty-two cents, which was appropriated for the use of the Naval Department, in the year one thousand seven hundred and ninety-four, by an act passed the ninth day of June last, shall be, and the same is hereby, appropriated to the use of the said Naval Department, for the year one thousand seven hundred and ninety-five.

SEC. 4. *And be it further enacted*, That there be appropriated the several sums following, to wit: For the payment of military pensions, for the year one thousand seven hundred and ninety-five, eighty-five thousand three hundred and fifty-seven dollars and four cents; and a sum not exceeding ten thousand dollars for the contingent purposes of Government, subject to the disposition of the President of the United States.

SEC. 5. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of the funds following, to wit: First—The surplus of the sum of six hundred thousand dollars, reserved by the "Act making provision for the Debt of the United States," and which will accrue during the year one thousand seven hundred and ninety-five; Secondly—The surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-five; and, Thirdly—The surplus which shall remain unexpended of the moneys appropriated to the use of the War Department for the year one thousand seven hundred and ninety-four.

SEC. 6. *And be it further enacted*, That the President of the United States be empowered to borrow, on behalf of the United States, of the

Bank of the United States, which is hereby authorized to lend the same, or of any other body or bodies politic, person or persons, any sum or sums not exceeding in the whole the sums herein appropriated, and to be applied to the purposes aforesaid, and to be reimbursed, as well interest as principal, out of the funds aforesaid.

Approved, March 3, 1795.

An Act supplementary to the act entitled "An act establishing a Mint, and regulating the coins of the United States."

*Be it enacted, &c.*, That, for the better conducting of the business of the Mint of the United States, there shall be an additional officer appointed therein, by the name of the Melter and Refiner, whose duty shall be to take charge of all copper, and silver or gold bullion, delivered out by the Treasurer of the Mint, after it has been assayed, agreeably to the rules and customs of the Mint already directed and established, or which may hereafter be directed and established, by the accounting officers of the Treasury, and to reduce the same into bars or ingots, fit for the rolling mills, and then to deliver them to the Coiner or Treasurer, as the Director shall judge expedient; and to do and perform all other duties belonging to the office of a Melter and Refiner, or which shall be ordered by the Director of the Mint.

SEC. 2. *And be it further enacted*, That the Melter and Refiner of the said Mint shall, before he enters upon the execution of his said office, take an oath or affirmation before some Judge of the United States, faithfully and diligently to perform the duties thereof. And, also, shall become bound to the United States of America, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sum of six thousand dollars, with condition for the faithful and diligent performance of the several duties of his office.

SEC. 3. *And be it further enacted*, That there shall be allowed and paid to the said Melter and Refiner of the Mint, as a compensation for his services, the yearly salary of fifteen hundred dollars.

SEC. 4. *And be it further enacted*, That the Director of the Mint be, and hereby is, authorized, with the approbation of the President of the United States, to employ such person as he may judge suitable to discharge the duties of the Melter and Refiner, until a Melter and Refiner shall be appointed by the President, by and with the advice of the Senate.

SEC. 5. *And be it further enacted*, That the Treasurer of the Mint shall be, and he is hereby, directed to retain two cents per ounce from every deposit of silver bullion, below the standard of the United States, which hereafter shall be made for the purpose of refining and coining; and four cents per ounce from every deposit of gold bullion made as aforesaid, below the standard of the United States, unless the same shall be so far below the standard as to require the operation of

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the test, in which case the Treasurer shall retain six cents per ounce, which sum so retained shall be accounted for by the said Treasurer with the Treasurer of the United States, as a compensation for melting and refining the same.

SEC. 6. *And be it further enacted*, That the Treasurer of the Mint shall not be obliged to receive from any person, for the purpose of refining and coining, any deposit of silver bullion, below the standard of the United States, in a smaller quantity than two hundred ounces; nor a like deposit of gold bullion below the said standard, in a smaller quantity than twenty ounces.

SEC. 7. *And be it further enacted*, That, from and after the passing of this act, it shall and may be lawful for the officers of the Mint to give a preference to silver or gold bullion, deposited for coinage, which shall be of the standard of the United States, so far as respects the coining of the same, although bullion below the standard, and not yet refined, may have been deposited for coinage, previous thereto, any law to the contrary notwithstanding: *Provided*, That nothing herein shall justify the officers of the Mint, or any one of them, in unnecessarily delaying the refining any silver or gold bullion below standard, that may be deposited as aforesaid.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, whenever he shall think it for the benefit of the United States, to reduce the weight of the copper coin of the United States: *Provided*, Such reduction shall not, in the whole, exceed two pennyweights in each cent, and in the like proportion in a half cent; of which he shall give notice by Proclamation, and communicate the same to the then next session of Congress.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Treasurer of the United States, from time to time, as often as he shall receive copper cents and half cents from the Treasurer of the Mint, to send them to the Bank or Branch Banks of the United States, in each of the States where such Bank is established; and where there is no Bank established, then to the Collector of the principal town in such State, (in the proportion of the number of inhabitants of such State,) to be by such Bank or Collector paid out to the citizens of the State for cash, in sums not less than ten dollars value: and that the same be done at the risk and expense of the United States, under such regulations as shall be prescribed by the Department of the Treasury.

Approved, March 3, 1795.

An Act for the more effectual recovery of debts due from individuals to the United States.

*Be it enacted, &c.*, That the Comptroller of the Treasury be, and is hereby, authorized to issue a notification to any person who has received moneys for which he is accountable to the United States, or to the executor or administrator of such person, if he be deceased, requiring him to render to the Auditor of the Treasury, at such time as he shall think reasonable, according to the circum-

stances of the case, within twelve months from the date of such notification, all his accounts and vouchers, for the expenditure of the said moneys, and in default thereof, suits shall, at the discretion of the Comptroller of the Treasury be commenced for the same, without further notice. And the party sued as aforesaid, shall be subject to the costs and charges of such suits, whether the ultimate decision shall be in his favor or against him.

SEC. 2. *And be it further enacted*, That the Marshals of the respective districts be, and are hereby, authorized and directed to serve the said notifications on the parties therein named, by leaving copies thereof at their respective dwellings, or usual places of abode, at least four months before the time fixed in such notification for rendering their accounts, as aforesaid, and that the return of the said notifications to the Comptroller's office, with the Marshal's certificate thereon, that such service has been made, be deemed legal evidence in the District or Circuit Courts, of the proceedings, and for the recovery of costs and charges. And that in cases where accounts shall be rendered to the Auditor of the Treasury, within the time limited in the notifications aforesaid, he shall immediately proceed to liquidate the credits to be passed for the said accounts, and report the same to the Comptroller, with a particular list of any claims which shall have been disallowed by him. And that the Comptroller of the Treasury immediately proceed to the examination of the credits allowed by the Auditor, and if the same be approved by him, that he cause credit therefor to be passed on the public books. And the Comptroller shall also appoint a day for hearing the claimant on the claims so disallowed by the Auditor, as aforesaid.

SEC. 3. *And be it further enacted*, That a list of all such credits aforesaid, as shall have been claimed, and not admitted by the Comptroller, be made out and transmitted to the Marshal of the district, where the claimant resides; and that a copy thereof be served on the claimant, or left at his dwelling or last usual place of abode, with notice of the time assigned by the Comptroller, for the final hearing, as aforesaid, at least four months before such hearing; of which proceedings, the Marshal is hereby directed to transmit an official return to the Comptroller. And in case of omission or neglect on the part of the claimant to assign in writing, or otherwise, his reasons to the Comptroller, within the time limited, as aforesaid, why the suspended credits should be admitted, all future claims therefor shall be, and are hereby forever barred. But in case the claimant shall, within the time aforesaid, assign in writing, or otherwise, his reasons why the suspended credits should be admitted, the Comptroller shall immediately consider the same, and decide thereon according to the principles of equity, and the usages of the Treasury Department.

SEC. 4. *And be it further enacted*, That in all cases where the final decision of the Comptroller shall be against the claimant, such determination shall be final and conclusive to all concerned.

Approved, March 3, 1795.

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An Act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned.

*Be it enacted, &c.,* That the President of the United States shall be, and he is hereby authorized and empowered to cause to be surveyed in the Territory Northwest of the Ohio, a tract of land situated on the northerly bank of the river Ohio, beginning one mile and a half on a straight line above the mouth of Little Sandy, thence down the said river Ohio, along the courses thereof eight miles when reduced to a straight line, thence at right angles from each extremity of the said line, so as to include the quantity of twenty-four thousand acres of land to be disposed as hereinafter directed.

SEC. 2. *And be it further enacted,* That the President be authorized to cause to be ascertained the number of French inhabitants and actual settlers of the town or settlement of Gallipolis, being males above eighteen years of age, or widows who are or shall be within the said town or settlement of Gallipolis on the first day of November next.

SEC. 3. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized and empowered, to issue letters patent in the name and under the seal of the United States, thereby granting to John Gabriel Gervais and his heirs, four thousand acres of land, part of the said twenty-four thousand acres to be located on the Northwest bank of the river Ohio opposite to the mouth of the Little Sandy with conditions in the said letters patent that if the said John Gabriel Gervais or his heirs, shall not personally within three years from the date of the same patent, settle on the same tract of land, and continue settled for three years next thereafter, the same letters patent shall be void and determine, and the title thereof revert in the United States, as if this law had not passed.

SEC. 4. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized and empowered to cause to be surveyed, laid off, and divided, the remaining twenty thousand acres of land, residue of the twenty-four thousand acres, into as many lots or parts as the actual settlers of Gallipolis shall, on the ascertainment aforesaid, amount to, and the same to be designated, marked, and numbered, on a plat thereof, to be returned to the Secretary of the said Territory, together with a certificate of the courses of the said lots, the said lots, or parts of the aforesaid tract, to be assigned to the settlers aforesaid by lot. And the President of the United States is hereby authorized and empowered, to issue letters patent as aforesaid, to the said actual settlers and their heirs, for the said twenty thousand acres to be held by them in severalty in lots to be designated and described by their numbers on the plat aforesaid, with condition in the same letters patent, that if one or more of the said grantees, his or her heirs or assigns, shall not, within five years from the date of the same letters, make or cause and procure to be made an actual settlement on the lot or lots assigned to him, her or them, and the same continue for five years there-

after, that then the said letters patent, so far as concerns the said lot or lots not settled and continued to be settled as aforesaid, shall cease and determine, and the title thereof shall revert in the United States in the same manner as if this law had not passed.

SEC. 5. *And be it further enacted,* That nothing in this act shall be taken or considered in any manner to impair or affect the claims of the said settlers against any person or persons, for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this law had not passed.

Approved, March 3, 1795.

An Act for the more general promulgation of the Laws of the United States.

*Be it enacted, &c.,* That for the more general promulgation of the Laws of the United States, the Secretary for the Department of State shall, after the end of the next session of Congress, cause to be printed and collated, at the public expense, a complete edition of the Laws of the United States, comprising the Constitution of the United States, the Public Acts then in force, and the Treaties, together with an index to the same.

SEC. 2. *And be it further enacted,* That, four thousand five hundred copies of the said edition, shall be divided by the said Secretary, among the respective States and the Territories Northwest and South of the river Ohio, according to the rule for apportioning representatives; and that the proportion of each State or Territory, shall be transmitted by the said Secretary to the Governor or Supreme Executive Magistrate thereof, to be deposited in such fixed and convenient place in each county, or other subordinate civil division of such State or Territory, as the Executive or Legislature thereof shall deem most conducive to the general information of the people; and that five hundred copies of the said edition be reserved for the future disposition of Congress.

SEC. 3. *And be it further enacted,* That the acts passed at each succeeding session of Congress, including future Treaties, shall be printed and distributed in like manner and proportion.

Approved, March 3, 1795.

An Act making provision for the purposes of trade with the Indians.

*Be it enacted, &c.,* That a sum not exceeding fifty thousand dollars be appropriated to the purchase of goods for supplying the Indians within the limits of the United States, for the year one thousand seven hundred and ninety-five; and the sale of such goods be made under the direction of the President of the United States.

Approved, March 3, 1795.

An Act to regulate the compensation of Clerks.

*Be it enacted, &c.,* That the Secretary of the Treasury, the Secretary of the Department of State, and the Secretary of the Department of

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War, be authorized to vary, for the present year, the compensation heretofore established for clerks in their respective Departments, in such manner as the services to be performed shall in their judgment require; so, however, that no principal clerk shall receive more than at the rate of one thousand dollars per annum, and that the aggregate of the compensations for clerks in either of the said Departments shall not for the said year exceed the aggregate of the compensations allowed for clerks in the same Department for the year one thousand seven hundred and ninety-four; and that an additional compensation not exceeding the rate of two hundred dollars per annum be allowed for one clerk employed by the Director of the Mint during the present year.

Sec. 2. *And be it further enacted*, That there be allowed for the year one thousand seven hundred and ninety-five, to the Commissioners of Loans in the States of Massachusetts and New York, respectively, not exceeding five clerks at the rate of five hundred dollars each; to the Commissioner of Loans in the State of Connecticut, not exceeding two clerks at the rate of four hundred dollars each; and to the Commissioner of Loans in the States of Pennsylvania, Virginia, and South Carolina respectively, not exceeding two clerks at

the rate of five hundred dollars each. The aggregate of the compensations for clerks employed by either of the said Commissioners to be apportioned among them at his discretion. That there be allowed for the year aforesaid, in lieu of clerk hire, to the Commissioner of Loans in the State of New Hampshire, three hundred and fifty dollars; to the Commissioner of Loans in the State of Rhode Island, four hundred dollars; to the Commissioner of Loans in the State of New Jersey, three hundred dollars; and to the Commissioner of Loans in the State of Maryland, two hundred and fifty dollars.

Approved, March 3, 1795.

An Act authorizing the exportation of arms, cannon, and military stores, in certain cases.

*Be it enacted*, &c., That in cases connected with the security of the commercial interest of the United States, and for public purposes only, the President of the United States be, and hereby is authorized to permit the exportation of arms, cannon, and military stores, the law prohibiting the exportation of the same to the contrary notwithstanding.

Approved, March 3, 1795.